







THE MODERN DEVELOPMENT OF  
CITY GOVERNMENT



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# The Modern Development of CITY GOVERNMENT

IN THE UNITED KINGDOM  
AND THE  
UNITED STATES

BY

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**PART II**  
**POLITICAL AND ECONOMIC**





## VII

### THE LEGAL BASIS OF CITY GOVERNMENT

*Significance of variety of jurisdictions—Contrast between local government under a Parliament and under a written constitution—The latter may bind a legislature, but city home rule is possible also under Parliamentary supremacy—The United States has emphasized popular sovereignty; while the United Kingdom has emphasized representative government and the tradition of a governing class—The United States has tended to seek an automatic solution of city problems; the United Kingdom, a remedy through pressure of public opinion.*

#### JURISDICTIONS

§ 1. *A single jurisdiction v. forty-eight jurisdictions.* The juristic basis of city government is fundamental in its development. Hence any divergence in this respect between England and America must account in no small measure for the widely differing channels of development followed by their respective cities.

The first contrast is that presented by the single jurisdiction of the United Kingdom,<sup>1</sup> and the multiplicity of jurisdictions that compose the United States. The federal character of the latter is such that 'the States collectively could destroy at short notice the entire Federal Government; but this, by contrast, with all of its powers, could not deprive even Nevada (our pettiest state) of any of its constitutional rights nor of its place in the Union'.<sup>2</sup>

<sup>1</sup> In practice this is no longer literally true, owing to the creation of the anomalous Irish Free State, with 'dominion status'.

<sup>2</sup> Deale, *Growth of American State Constitutions*, p. 5.

The fact that control of local government is not among those powers which the states have seen fit to delegate to the Federal Government<sup>1</sup> explains the necessity for frequent 'comparisons within comparisons', in contrasting the cities of the United States and of the United Kingdom. Each of the forty-eight states is sovereign in this control of its own subordinate<sup>2</sup> units; and in no two states has the precise legal status—to say nothing of the policy—been identical. Any similarity between states, whether of legal status or of policy, is entirely voluntary. From this very fact, any general developments and changes acquire the greater significance; for, in view of the recent attention to city problems, each general development represents so many separate verdicts or decisions as to the proper solution.<sup>3</sup> Such a variety of laboratories has made possible a much more satisfactory use of the 'trial and error' method of solving political questions. If absolute generalizations are difficult in the case of English cities, they are impossible in the case of a country which claims forty-eight separate systems of local government.<sup>4</sup>

#### CONTRAST BETWEEN THE SUPREMACY OF PARLIAMENT AND A WRITTEN CONSTITUTION

§ 2. *Legal position of the city.* The contrast of the supremacy of Parliament with a government under written constitutions has few more interesting phases than that furnished by the part played by each in the course of city development. It is true that each of the

<sup>1</sup> Save in the territories and dependencies, the District of Columbia, harbours to pier head, and Indian reservations.

<sup>2</sup> If variations in court interpretation be taken into account. Even without this, identical status is the exception.

<sup>3</sup> Cf. pp. 276, 292, 271, etc.

<sup>4</sup> If only the sixty-eight cities over 100,000 are considered they are found to be in thirty-one jurisdictions, seventy-six more (50,000-100,000) add seven other jurisdictions. Yet even the remaining states, where there are no large cities, often contain significant elements, and cannot be ignored.

United States carried over the Anglo-Saxon 'rule of law';<sup>1</sup> and that the American cities, like the British, can act only within powers and must perform duties; yet the fact that these powers and duties are ultimately determined, not by a legislative body, but according to the interpretation placed by the courts upon written documents, suggests a widely differing result.

On the one hand, is a Parliament whose supremacy is unlimited. Until recently this was of a distinctly aristocratic type;<sup>2</sup> but it now rests upon an insistent<sup>3</sup> popular will as exercised through elected representatives. In America, the legislatures are themselves bound by a written document which may or may not in so many words prescribe their sphere in dealing with city government, but which is ultimately assumed to do so. Furthermore, even the constitutions are in the hands of Constitutional Conventions (or other amending devices) which are supreme or 'extra-constitutional' in their own sphere.<sup>4</sup>

Where there are no express provisions regarding local government in these constitutions, the procedure has varied. There have been court decisions which pointed to an inherent 'right' of local self-government;<sup>5</sup> but

<sup>1</sup> Except Louisiana, where the Napoleonic code was retained from Spanish-French days.

<sup>2</sup> The Parliament Act, 1911 (1 and 2 Geo. V, ch. 13), curtailed the powers of the House of Lords. It has been a very real influence in city affairs. Cf. pp. 169, etc. A recent instance was the rejection by the H.L. Committee of the Bill creating Doncaster a county borough. This had previously passed the H.C.

<sup>3</sup> The House of Lords may delay but not permanently defeat the will of the House of Commons.

<sup>4</sup> Cf. Hoar, *Constitutional Conventions*, p. 223, etc., for a full discussion of their legal position.

<sup>5</sup> e.g. Attorney-General v. Detroit Com. Council, 58 Michigan 216: 'It is also a principle well settled that our state policy recognizes and perpetuates local governments through various classes of municipal bodies whose essential character must be respected as fixed by usage and recognition when the Constitution was adopted. Any legislation for any purpose which disregards any of the fundamental and essential requisites of said bodies has always been regarded as unsound and unconstitutional.'

these were never well attested. Of late it has been the policy, in the absence of any constitutional provision to the contrary, to regard the legislature as supreme in local government.<sup>1</sup>

In actual practice, the two systems at first did not show any great legal divergence. Parliament has consistently followed the policy of delegating only strictly specified powers; the right to vary which it has both retained and exercised. Of late it has indeed seen fit to delegate increasing powers of sub-legislation or sub-adjudication to central administrative boards—but always within specified limits.<sup>2</sup> The details of enforcement with regard to cities (i.e. keeping within powers<sup>3</sup> and performance of duties) have been left to the courts or to the central boards.

Broadly speaking, this was and, to a considerable degree, still is the policy of the American states, to the extent that the city is subordinated to the legislature. Yet since about 1850 the practice has shown increasing divergence, owing to the employment of the written constitutions to limit the legislatures in their dealings with local bodies.<sup>4</sup> This varies greatly in extent between

<sup>1</sup> e.g. 102 U.S. 472-511, which holds that a city charter is not a contract but merely a public legal privilege; 91 U.S. 540 (*Barnes v. District of Columbia*). For a detailed study of the question, cf. McQuillan, *Law of Municipal Corporations*, 6 vols. For a more popular study in a single state, cf. Kirchner, *Local Self-Government in the Constitution of Michigan*, being No. 4, in vol. 1 of the publications of the Michigan Political Science Association.

<sup>2</sup> Cf. pp. 441 ff. The Acquisition of Powers Sub-Committee of the Ministry of Reconstruction recommended a much more comprehensive delegation: 'We therefore recommend that, when a local authority or other body desires to obtain new powers which are similar to powers already conferred by special Act in similar circumstances, the appropriate department should be empowered to make a Provisional Order conferring the new powers desired.' (Cd. 8982, 1918, p. 6.) Only 9 per cent. of the Provisional Orders made by the Local Government Board, 1906-1915, were opposed in Parliament. (*Ibid.* p. 7.)

<sup>3</sup> A few traditional powers remain to some cities, but these are narrowly interpreted.

<sup>4</sup> Cf. Guitteau, *Constitutional Limitations upon Special Legislation Concerning Municipalities*.

the states. Some still retain the virtually complete subjection of the city to the legislature which was universal in the early days of the Republic, and which presents no essential difference to the position in the United Kingdom. It is rather to those states which have placed limitations to this subjugation that attention should be directed in order to contrast the effects of the two legal systems.

These limitations on legislatures have been of two kinds:<sup>1</sup> restriction of powers in specified matters, and actual constitutional delegation of powers to the cities themselves. The first named was the earlier development, and its growth has already been traced.<sup>2</sup> To a certain extent, it was but the writing into the constitutions the elements of local independence which the cities had felt were theirs by 'natural laws', but which the courts had not upheld. The types of these restrictions presented considerable variations,<sup>3</sup> but in general they were directed against 'special' or detailed legislation by the states for the cities. These restrictions are still the rule in the majority of the states. The other and later development—actual guarantee of certain powers to the cities—it will be remembered was in part the outgrowth of either the ineffectiveness or the inflexible nature of the earlier type.<sup>4</sup> Its future is somewhat uncertain, and its provisions have suffered considerably from improper or ill-considered framing.<sup>5</sup> In its earliest forms it guaranteed to cities certain specified powers—the most usual being the right to frame the charter.<sup>6</sup> A later and extreme form<sup>7</sup> has been the delegation of all powers (even including fiscal) which do not conflict with the general law. The legal position of a city with this form of home rule is very similar to that prevalent on the Continent—delegation of

<sup>1</sup> New York's plan of guaranteeing a 'suspensory veto' to the municipality is sometimes spoken of as a third type. Cf. p. 148.

<sup>2</sup> Cf. pp. 72, 265.

<sup>3</sup> Cf. p. 72 f.

<sup>4</sup> Cf. p. 266.

<sup>5</sup> Cf. McBain, *Law and Practice of Municipal Home Rule*, var. (In briefer form in the same author's *American City Progress and the Law*.)

<sup>6</sup> e.g. Missouri cities over 100,000—1875. Cf. p. 74. <sup>7</sup> Cf. p. 267 f.

all save specifically reserved powers. It is the cities in these 'home rule' states which present the greatest contrast in legal basis to those of Great Britain.

On the other hand, poorly worded constitutions have frequently hampered the cities through their rigidity, to a degree which the British cities have been spared.<sup>1</sup>

§ 3. *Derivative attitudes.* But the divergence resulting from the supremacy of Parliament and the written constitution has involved more than merely a difference in legal basis. Certain attitudes of mind—in part the direct consequence of the legal differences—have in no small measure moulded the political thinking of the two peoples.

In the doctrine of the written constitution must be sought much of the reason for the American's confidence in an automatic solution.<sup>2</sup> Once a law or principle is incorporated, the citizen feels that his work is done, public opinion unorganizes itself, and the supporters of the law trust to chance that its workings will be sure and satisfactory. This tendency to seek remedies for evils in constitution or statute rather than in representatives, contrasts with the central position held by the doctrine of individual responsibility—which has arisen in such large measure from the supremacy of Parliament. The history of the English city, as well as that of the nation, is characterized by instances where remedies were sought

<sup>1</sup> Cf. McBain, *American City Progress and the Law*, var. ; *American Year Book*, 1918, p. 29. In the case of Milwaukee, it was an obstacle to city-county consolidation (*Milwaukee County Government*, p. 4). The decision (1870) of the North Carolina Supreme Court which held local taxation for schools unconstitutional handicapped the schools for many years (Hamilton, *North Carolina Since 1860*, vol. 3, p. 254). For many years New Haven had to maintain a town government in addition to the city government in order to comply with the constitutional requirement that the admission of electors be under the direction of the selectmen and town clerk. Similarly Virginia hampered its cities by incorporating the bicameral council in its constitution (cf. p. 72). In Detroit (1899) municipal ownership of street railways was similarly blocked (Utley and Cutcheon, *Michigan as a Province*, p. 247 f.).

<sup>2</sup> Cf. pp. 69-74, etc.

through pressure of public opinion upon the representatives ; in contrast to the American distrust of officials and remedy in law.<sup>1</sup>

Furthermore, the effect of the constitutional supremacy over all legislatures and executives has its roots in the emphasis laid by the Americans upon *popular sovereignty*, and has served to perpetuate this doctrine. To say that the American Government trusts the people is thus historically incorrect; since the doctrine is held that the people *are* the government. Direct government is the last principal manifestation of this, and is the logical outcome of a theory in which the hierarchy of law rests largely in popular hands.<sup>2</sup> The United Kingdom presents a direct contrast. The emphasis has ever been on governing *for* the people; and the history has been one of concessions to the people. Thus a distrust of direct methods and a corresponding emphasis on representative government has been kept alive through the supremacy of Parliament. The people of the United States distrust their government and restrict its power:<sup>3</sup> the government of the United Kingdom has distrusted its people and has been somewhat loath to increase the sphere of popular participation.<sup>4</sup> Both attitudes are in part derived from and maintained by the divergent legal bases, and both have coloured the history of city development.

#### POSSIBILITIES OF CHANGE IN CITY STATUS

§ 4. *Devolution.* Preliminary to any suggested alterations in city government, one must consider the possibilities of change in the legal status of the cities under the two systems. However much critics of either type of national (or state) government might consider one type

<sup>1</sup> Cf. pp. 178, 374, etc.

<sup>2</sup> Through provisions whereby a popular referendum forms part of the amending process of the constitutions. There are many exceptions. Cf. Dealey, *Growth of American State Constitutions*.

<sup>3</sup> Cf. pp. 69, 117, etc.

<sup>4</sup> Cf. pp. 166 f., 509 ff.



or the other to be preferable, there is no desire in a study of city government to suggest any change so fundamental as that the United States abandon, or the United Kingdom adopt, a written constitution. However important city government may be, it is only one of the many problems of politics. Furthermore, each country is too deeply devoted to its own form to bring any such sweeping alteration within the sphere of the immediately possible. The only question at this point is to consider the possibilities, under the existing system in each case, of two changes in the legal basis of the cities. These are devolution and home rule.

Devolution may be defined at this point as delegation of powers to an intermediate area, the object in view being to secure a greater concession to local peculiarities and needs, and at the same time to relieve the central government. The equivalent is already an accomplished fact in the American states, where there is an available laboratory of comparative experiment. Such a delegation of control over local government has now been accomplished in Ireland; and on a similar legal basis, could be brought about for subordinate parliaments for Scotland, Wales, or parts of England. In the case of Scotland (and to a very limited extent, Wales) there has been an attempt to attain something of the same end through separate treatment based on concessions to local traditions, etc.<sup>1</sup>

§ 5. *Home rule.* The second change, and the one more important and fundamental to city government, concerns direct devolution to the cities themselves of all save specifically reserved powers—in other words, complete home rule, without sacrificing the ‘rule of law’. It is within the province of the Imperial Parliament by a single Act completely to alter the legal status of the cities from one of specifically delegated powers to one of a general grant of power subject only to reservations. Similar action could be taken by any of the American state

<sup>1</sup> Cf. p. 208 f.

legislatures where constitutional provisions have not yet secured home rule. They have had this power throughout their history; but in the face of local pressure for greater freedom, it has usually been found necessary to restrain the action of the legislatures by constitutional devices, which are not at the disposal of the British cities.<sup>1</sup> In the majority of cases the 'home rule' amendments were found the only effective and permanent remedies when the state legislatures misused their power.<sup>2</sup>

There is no attempt at this point to pronounce for or against so complete a measure of local autonomy as the delegation of all save reserved powers—i.e. constitutional home rule. Any such verdict can be reached only after carefully weighing the various factors. The point to be noted is that home rule is possible under the legal basis of either country; but that, while its attainment is seemingly more simple in the United Kingdom, in reality it may be more difficult, as the people have no extra-legislative check upon their Parliament.

Thus the legal basis of city government appears to assume a fundamental position. It is responsible for the variety of type in America, and for the contrasted positions of the British and the American legislatures in their dealings with the minor units. The philosophic background of a written constitution and the supremacy of Parliament diversely affected the political thinking of the two peoples, and this in turn has reacted upon the cities.

All of these elements will appear from time to time as affecting the functions of the cities, their machinery of organization, their methods of financial control, and most of all, their relations with the central authorities.

<sup>1</sup> Occasional instances of conferment of charter-making power by legislation have occurred. These have not always been upheld by the courts (McBain, *American City Progress and the Law*). Cf. p. 74.

<sup>2</sup> Cf. pp. 73 f., 266 ff.

## VIII

### THE FUNCTIONS OF CITY GOVERNMENT

*A study of the several functions of the city, in their bearing upon the theory of city government—Education must be the primary function under city self-government—The changing character of city functions demands a flexible framework—The reaction of finance and rating upon functions—Freedom appears to be a pre-requisite to the most vigorous development—The complications in police and poor law are in part due to contradictory central and local interests—The paternalistic trend in British functions forms a contrast to the American emphasis upon equality of opportunity.*

#### INTRODUCTORY

§ 1. *Reasons for a study of functions.* The most cursory study of the divergent legal bases of the cities of the two countries suggests a more flexible functional evolution in the United States. Devolution makes possible a more intimate contact with local needs; home rule places functional determination in the power of those most concerned.

The course of functional growth has already been incidentally considered as a part of the general historical development. The time has now come for a more comprehensive and analytic examination, that additional light may be shed upon the three major problems in city government theory, namely—framework, finance, and central-local relations. Although the consideration in the first instance is to be function by function, no study of technique is attempted nor even a proportioned treatment of functional history. The purpose is rather

to use each service as one of a series of illustrations bearing on political theory. This involves only the isolation of certain aspects—particularly those which present contrasts between the two countries. Such a treatment of the functions *seriatim* makes possible more general observations, even though the development was never simultaneous or identical between function and function. It furnishes a minor approach to the theory of city government, which is useful as a supplement to the major approach of the historical background.

In the historical development two major facts have stood out clearly in both countries. In the first place, the functions of the city have grown greatly from the days of mere policing; till the city appears as an agent of the state, a business corporation, and an agent for the welfare of its inhabitants. In the second place, this growth has frequently and often harmfully dominated the framework of the government, by overshadowing considerations of sound political practice.<sup>1</sup> The need for these services is the factor that creates local government; but the framework, once created, reacts in turn upon the functions.

#### EDUCATION

§ 2. *Significance of education in city government.* If any one function is to be singled out as furnishing the best index of the vitality and vision of city government, it is education. The problems of the city are nothing if not complex, and to the extent to which the citizens appreciate this they will endeavour to educate themselves to deal intelligently with these problems or to follow intelligently the methods employed by their chosen representatives. This implies that a local self-governing unit possessed of foresight will put its own education at the centre of its municipal effort. The amount of local interest in education indicates whether the people have

<sup>1</sup> Cf. pp. 107, 170, etc.

realized that they are individuals in a community sufficiently for the electorate consciously to favour its own improvement. It furnishes an illustration of the degree to which a city looks beyond the material things (or even the health of the body), to the higher values. Hence contrasts in educational development are of significance in interpretation of city government.

§ 3. *Origins of education.* There has already been incidental treatment of the historic origins and early course of education in both countries.<sup>1</sup> These are necessary to any understanding, and deserve to be re-emphasized at this point.

The beginnings of education in the United States were local and quite largely Calvinistic.<sup>2</sup> Decentralized effort had become traditional when state and nation began their fostering efforts. The state authorities significantly respected the tradition of the decentralized schools under local control by leaving them free, save for a conditional minimum which soon lost its significance for the cities.<sup>3</sup> Hence, though state aid helped tide over the period of neglect, the original tradition of the locally controlled and supported school—determined by the will and needs of the inhabitants of the community itself—remained one of the greatest single factors in the later development.

English education, by contrast, largely represented a national strain superimposed upon an ecclesiastical.<sup>4</sup> The voluntary element which originated the schools remained very strong, though yielding to the increase of national supervision. After 1870 the localities were regarded as distinctly supplementary agents to the national government.<sup>5</sup> The *ad hoc* bodies then created showed a measure

<sup>1</sup> Cf. pp. 7, 170, etc.

<sup>2</sup> Scotland is a parallel case of Calvinistic influence.

<sup>3</sup> Cf. p. 15; also 'Federal Aid to Public Schools', *Bulletin* 47, 1922, U.S. Bureau of Education. Federal school land grants alone totalled 114,304 square miles (*ibid.* p. 33) or more than twice the area of England.

<sup>4</sup> Cf. p. 171.

<sup>5</sup> Cf. p. 190.

of local interest, and often attempted local variations in type and quantity. However, these variations were generally checked by detailed central supervision or were disregarded in view of what was felt to be the supremacy of the national interest.<sup>1</sup> Hence arose the contrasted tradition of the English schools<sup>2</sup>—the domination of the national view-point—which affected their subsequent course.

§ 4. *Philosophies of education.* Nor has the contrast of the educational systems in their underlying philosophy been any less marked than the contrast in their origins and traditions. The doctrine of popular sovereignty in the United States made the education of the people a distinct obligation for the city and state alike. The seeming paradox of a *city* voluntarily engaged in the education of citizens for *state* and *national* welfare, can be explained only as a confirmation of the proposition that the ultimate strength of a nation rests in the vigour and intelligence of its local units. It suggests further the attitude of the American that, regardless of constitutions or political theory, his citizenship is not unitary or even dual, but *triple*—of his nation, his state, *and his city*. Somewhat later in its appearance was the second great principle—that education in a social democracy is an obligation in order to secure equality of opportunity. Around these two principles the development of the American city school systems has centred.<sup>3</sup>

The two principles that governed English educational thought contrasted considerably with these. The emphasis in the first instance was education for religion, and in practice religion was interpreted to mean denomi-

<sup>1</sup> Cf. p. 352.

<sup>2</sup> There were probably more points of similarity between the early educational development of the American Southern States and England than between these states and the rest of America. Their centralized impetus, their class distinctions, their relative absence of local support for so long a time suggest English traditions.

<sup>3</sup> Cf. pp. 13-17, etc.

national religion. That the insistence on denominational interests has complicated the course of the national education system is a commonplace. There was also the general belief that education at public expense was of the nature of an humanitarian concession. Its assumption was not equality of opportunity implying alterations in the condition of the individual dependent upon his fitness, but of a society in which a person remained in the class in which he was born.<sup>1</sup> While American education has been for citizenship,<sup>2</sup> has not British education tended rather to imply status? The civic motive in the latter, though existing, played a relatively subordinate part.

§ 5. *Varied character of education.* With these divergent origins and philosophies in mind, it becomes possible more intelligently to interpret their consequences.

By nature, neither system is stereotyped. In the United States—contrary to opinions in Europe—education enjoys a large measure of spontaneous variety on account of the degree to which policy as well as details are in the control of local self-governing units.<sup>3</sup> There are virtually no restrictions as to maximum, experiment, and advance—for these are not dependent upon the grant-in-aid of a central department or upon a mere formal restriction of powers, but are conditioned only upon the locality's willingness to initiate and to spend.

The British schools present a similarly varied aspect. There is a fusion of elements, preserved through the British genius for compromise, which represents something of the complexity of the national nature. The religious element, so largely lost in America, has been kept; and side by side with it are the national (provided) schools. In addition, the elements peculiarly associated with the great public schools—fair play, sportsmanship, thoroughness, discipline, association—are leavening the

<sup>1</sup> Cf. p. 171.

<sup>2</sup> Cf. p. 13.

<sup>3</sup> Cf. Zueblin, *American Municipal Progress*, chaps. x-xii.

whole system through the very fact of simultaneous preservation.

§ 6. *The local authority.* The framework of the local authority has in each case appeared as the product of tradition and philosophy. The trend toward the *ad hoc* school board in the United States (due in part to the fiscal necessities resulting from the presence of the land grant revenues) has been kept by the desire to preserve this branch of local government free from political influence. Its isolation as a problem was also an expression of the degree of importance placed upon it in the popular mind.<sup>1</sup>

The *ad hoc* body in England arose from the functional domination of local government. Notwithstanding, it gave considerable promise of success.<sup>2</sup> The change in 1902 was not demanded by the localities, but was an example of the subordination of the local view-point to the national.<sup>3</sup> The voluntary strain in school control was preserved not simply through the retention of the managers of the individual schools, but through the provision for co-option of non-elected members on the newly-constituted education committees of the council.

§ 7. *Educational finance.* In America, the purpose of training for citizenship has had a strong reaction upon the finance of the schools. The rulers of the state and nation, educated in these schools in an atmosphere of equality of opportunity, have been very favourable to their development; but beyond this, the fact that the support of the schools rests upon local popular interest has enabled them to weather waves of economy or financial stringency.<sup>4</sup> In England, similar crises have revealed many weaknesses in the political and philosophical

<sup>1</sup> Report of the Committee on Taxation and Retrenchment, *New York Legislative Document No. 80*, 1920, p. 39.

<sup>2</sup> Cf. p. 232.

<sup>3</sup> Cf. p. 385. The similar course of Scotland comes to mind. Cf. Balfour, *Educational Systems*.

<sup>4</sup> Cf. p. 300.



foundations of English education. 'Education for status' as a philosophy has not always been able to hold a national governing class (educated for the most part in other schools) firm against demands for economy or against the pressure of a financial crisis. Nor has the fact that the localities have historically considered such expenditure as locally 'onerous', rendered them any more likely to resist similar pressure.<sup>1</sup> They have regarded education as a duty imposed on them for the sake of national interests, whose details as well as policy have been under national control.<sup>2</sup> In no function more than in education must the sense of local obligation and local interest be developed, in order to secure the function's permanent and increasing prosperity. The cities of England, in their requests for further transfer of expenditure to the central authority, are basing their argument on the theory that it is the nation's business, not theirs, to secure a 'national minimum' in education.<sup>3</sup> Thus what the minimum is to be is in danger of resting for the most part in the hands of those whose children do not attend the national schools.

§ 8. *Comparison of the extent of education.* The supposition that local autonomy, education for citizenship, and equality of opportunity are the sounder basis for education is not materially altered by a comparison of the extent of provision in the cities of the two countries. The total of expenditure is perhaps the best composite mirror of this. The American cities (1919-20) show the greater variation per capita (from \$4.92 in New Orleans to \$16.27 in Seattle), the English cities, the smaller expenditure. The former is an inevitable result of local autonomy, but the voluntary minimum of local current expenditure in the United States cities over 100,000 (\$4.87, New Orleans) is higher than the compulsory

<sup>1</sup> Cf. p. 354.

<sup>2</sup> Cf. p. 400.

<sup>3</sup> The wellnigh universal opinion expressed in interviews with various officials.

minimum of Stockport (£1 os. 6½d.) in Great Britain.<sup>1</sup> The maximums present an equally striking result. In the United States this was attained by Oakland—\$12.85 per capita; in England and Wales, by West Ham—£2 2s. per capita.<sup>2</sup> The expenditures of the two countries, both central and local, in 1919-20 showed that the United States spent 63 per cent. more per capita.<sup>3</sup> How much this rests on local self-government can be judged by the fact that in the cities of the United States (1919-20) about 94 per cent. was locally raised as against 44.8 per cent. in England and Wales as a whole (1922-3).<sup>4</sup> In the United States the emphasis upon the state's obligation to train its citizens and upon equality of opportunity led to education becoming free before it became compulsory.<sup>5</sup> In England, the emphasis upon the national minimum led to compulsion first; while free education carried with it the suggestion of a status where payment of tuition was difficult.<sup>6</sup> Thus nominally the provision

<sup>1</sup> Here and elsewhere an attempt has been made to adjust the exchange value of the £ and the \$ to the value at the time of comparison.

<sup>2</sup> Data compiled from Part II, *Local Taxation Returns*, E. and W., 1919-20, pp. 58, 60, 62-65; and from table 15, p. 102 f., in 'Statistics of City School Systems', 1919-20, *Bulletin No. 17*, 1922, U.S. Bureau of Education. Debt service and capital outlay are deducted. Cities over 50,000 show the following results:

Maximums—U.S. (1920-1) Berkeley \$18.41 (£4 11s.).

U.K. (1919-20) West Ham £2 2s. (\$8.40).

Minimums—U.S. (1920-1) Mobile \$3.74 (19s.).

U.K. (1919-20) Bournemouth £1 os. 6d (\$4.10)

(*Financial Statistics of Cities*, U.S. 1921, table 9) (Part II, *Local Taxation Returns*, E. and W., 1919-20, pp. 58, 60, 62-65).

It should be borne in mind that more than half of British city revenue is from central sources.

<sup>3</sup> Computed on Local Education Authority expenditure in E. and W. £52,705,000; U.S. \$9.80 per cap. (*Bulletin*, 1923, No. 16, p. 22).

<sup>4</sup> 'Statistics of City School Systems', 1919-20, U.S. Bureau of Education, *Bulletin*, 1922, No. 17, p. 5 (including county grants); *The Ratepayer*, April 1922, p. 134, quoting estimates for 1922-3 contained in Cd. 1638. At time of writing, the data for the boroughs alone were not available. The percentage of local expenditure would be slightly higher.

<sup>5</sup> Cf. p. 15.

<sup>6</sup> Cf. p. 172.

for elementary education would seem to bring coincident results; but where educational provision rests with an interested local electorate, it becomes a matter of civic pride to see that its growth is fostered. Hence evidence points to better equipment in the way of buildings,<sup>1</sup> if not of better teaching. The contrasted attitude of a local authority and of a central government has no better illustration than was shown by London paying for buildings out of current expenses, when the central department refused to sanction them.<sup>2</sup>

It is in secondary education that the characteristics are more clearly revealed. In America, equality of opportunity early established the principle of secondary education free to all. Of late much of the local pride in the educational system has concentrated upon magnificent 'high schools'.<sup>3</sup> By contrast, English secondary education continues largely a class affair.<sup>4</sup> In 1919-20 Cleveland had 14,424 children in secondary schools being educated entirely at public expense; while in Liverpool the number was under 1,500.<sup>5</sup> Prior to 1902 local efforts to go farther were repressed by the central government;<sup>6</sup> and recently the programme of continuation schools has been allowed to lapse.<sup>7</sup> There is scarcely a hint of the desirability of secondary education on the basis of citizenship.

There are over 600,000 students in the universities and professional schools in the United States as compared

<sup>1</sup> Loan charges 1919-20 England and Wales, £3,609,000 (about 2s. per capita) (*The Ratepayer*, April 1922, p. 135). Average value of school property per pupil enrolled in the U.S. was \$112 in 1920 (U.S. Bureau of Education, *Bulletin No. 16*, 1923, p. 15).

<sup>2</sup> Interview, Mr. Sidney Webb.

<sup>3</sup> The author remembers seeing a large sign in front of a large building in a city of 50,000 inhabitants: 'This is Bethlehem, Pa.'s new million dollar high school. Come to Bethlehem. Unrivalled educational facilities.'

<sup>4</sup> Cf. p. 352 f.

<sup>5</sup> U.S. Bureau of Education, *Bulletin No. 17*, 1922, p. 38.

<sup>6</sup> Cf. p. 352.

<sup>7</sup> Cf. p. 354.

with slightly over 30,000 in England.<sup>1</sup> An increasing number of the former are receiving free education as their right under a system where equality of opportunity is the aim—some of them in city-controlled universities.<sup>2</sup> Corresponding to this civic effort are the similar efforts of the British cities, in spite of restraint. Most of the provincial universities receive grants from the city in which they are located.

Adult education in American evening schools has had a considerable and creditable history of free provision at city expense. The training for citizenship has shown itself in Americanization schools, while the desire to grant equality of opportunity has led to vocational education. In England efforts similar to the latter have been largely fee-paying; and its adult education in general has derived its strength, not from its civic, but from its voluntary basis.<sup>3</sup>

In both countries education has shown itself capable of expansion, and has gathered around itself services such as medical inspection, thrift schemes, library facilities, recreational activities, and welfare work of various types.<sup>4</sup> Yet it is the American city that has carried this farthest in its conception of the school house as the community centre.<sup>5</sup>

Thus in detail, as well as in general, local self-government has made the American educational system a free and generous thing. Its bestowal of equality of opportunity has been lavish, and is extending even to the universities. The aim is to place no limit to the achievements of individual self-reliance. The bias

<sup>1</sup> *World Almanac*, 1923, pp. 377 ff.; *Whitaker's Almanac*, 1924, p. 495.

<sup>2</sup> Akron, 785 students; Cincinnati, 4,245; City of N.Y., 13,744; Hunter (N.Y. City), 1,491; Toledo, 1,905; Charleston (S.C.), 313; etc. Most of these pay at least a nominal tuition.

<sup>3</sup> Cf. *The Way Out*, being a series of essays relating to the British adult education movement.

<sup>4</sup> Cf. pp. 233, 353, 77, etc.

<sup>5</sup> Cf. p. 304.

for education for citizenship has made and kept the schools central in city government.<sup>1</sup>

§ 9. *The future of education.* In the light of the divergent policies thus far followed, one cannot be dogmatic as to the future. Through the emphasis on citizenship the American schools have kept local self-government possible in spite of increasing complexity of problems. Of their own volition the cities have themselves built up comprehensive health systems, and are grappling locally with the great field of social welfare. That the education will continue to the extent of making possible a similar local solution of the problems of police and law enforcement cannot confidently be predicted. It will furnish a further test of the efficacy of training for citizenship. The extension of the education age to sixteen in the case of the majority of the city population (and to an increasing extent, beyond sixteen) puts the question of direct government in a new light.<sup>2</sup>

The percentage of school attendance in the ten states with the largest percentage of urban population is:<sup>3</sup>

	14-16 years. 16-18 years. 18-21 years.		
California . . . .	89.1	54.7	21.9
Connecticut . . . .	74.9	33.0	11.6
Illinois . . . . .	79.0	37.1	12.3
Massachusetts . . . .	73.9	40.6	16.0
New Hampshire . . . .	86.6	41.7	15.5
New Jersey . . . . .	71.8	29.9	10.0
New York . . . . .	81.5	32.6	11.4
Ohio . . . . .	87.8	44.4	14.4
Pennsylvania . . . . .	79.6	32.8	10.8
Rhode Island . . . . .	59.0	26.3	10.8

The percentage in the Western and Central States is much higher than in the East and South, e.g.

Utah . . . . .	93.7	71.4	24.7
North Dakota . . . . .	87.3	53.4	19.0
Louisiana . . . . .	65.6	36.8	10.7

<sup>1</sup> Cf. p. 316.

<sup>2</sup> There are an increasing number of cities where courses in 'Civics' are given at the schools.

<sup>3</sup> *World Almanac*, 1923, pp. 716 ff.

Certain other points deserve brief notice—though education is far from the only factor concerned. Under genuine equality of opportunity there is no room for class consciousness. Such class feeling is perhaps weaker in America than in any comparable country.<sup>1</sup> Then, too, the elements of population are greatly diverse. That the assimilation has been sadly imperfect does not detract from the fact that it would seem to have been impossible save through an educational system that trained for citizenship.<sup>2</sup>

There is little question that democracy is coming in England. Politically, the Labour Party is making increasing gains; and industrially, despite occasional setbacks, the workers are demanding and receiving a greater measure of control. In local government the tradition of a governing class has gone, and it is passing in Parliament. The past policy in education is to be put to the test. Are the *citizens* ready? Has the central direction of education and its relative restriction to elementary education (based as these policies are upon distrust of the people and the localities)<sup>3</sup> given a sound foundation for the increasingly active participation by the masses in political and industrial decisions? If the cities are freed, and if adequate resources are placed at their disposal, the experience of the United States would seem to show that these local self-governing units would in not too long a time provide generously for education on the basis of equality of opportunity and citizenship.

§ 10. *Conclusions and suggestions.* Are there any changes which might profitably be made by either country? For England a rapid shift to a basis of training for citizenship

<sup>1</sup> The combined votes of the Socialist, Farmer-Labour, and Socialist-Labour candidates in the 1920 presidential election were only 1,216,385 out of a total poll of 26,705,346 (*World Almanac*, 1923, p. 883).

<sup>2</sup> Cf. *Cleveland Year Book*, 1922, ch. xi, for the part played by education in 'Americanization' in a typical city.

<sup>3</sup> Cf. pp. 351-356.

would seem to be almost a necessity in view of the existing trend toward a working-class democracy. This would involve at least three concrete changes. First, education of this type would come to mean more than elementary education, and facilities for free secondary education might be extended, not as at present to a few selected competitively, but to all those, and to only those who pass a qualifying examination.<sup>1</sup> It would then be denied in city-supported schools to those who fail to pass such an examination, even if they were willing to pay. In the second place, given adequate revenue,<sup>2</sup> local self-government in educational matters (in all save an irreducible minimum of standardization) should be established as soon as possible, extending to control of policy as well as control of detail.<sup>3</sup> The grant-in-aid may have a limited use in a period of transition to lighten the burden and to encourage local effort. In the third place, two measures may be tentatively suggested that would make the school more of a centre in the local thinking. The first of these is the restoration of the *ad hoc* school board,<sup>4</sup> and the second is a wider use of the school buildings as community centres. These two changes would offer hope of increasing popular support of education in England as they aided such support in the United States.

Recommendations for the United States based on the comparative study, raise deeper questions involving subtle spiritual elements. The American schools need

<sup>1</sup> Cf. Tawney, *Secondary Education*—where these principles are more fully developed. The policy of grants there advocated may not be wholly wise, inasmuch as it is one step more to relieve the wage-earner of responsibility for thrift.

<sup>2</sup> Cf. p. 550.

<sup>3</sup> The city should be given the right to determine how much money should be spent and for what purposes. It should have the right to build when and as it pleases, and to use the school building as a community centre. The 'irreducible minimum' of standardization might cover technical matters, such as qualifications of teachers and courses of study. Scope for experiment should be virtually unlimited. All of the foregoing is dependent upon an adequate local revenue.

<sup>4</sup> Cf. p. 497.

more than a mere variety of type ; they need something of the variety of strain to which England has clung. There is a place for religion in a complete education system. There should be a further emphasis upon the individual, which would seek to discover ways whereby the exceptional child—the genius—can be found and aided in self-expression.<sup>1</sup> In these and certain other respects, English education, though in some ways limited and cramped, has held fast to certain ideals which America has been too quick to forget.

Other suggestions are more obvious. In the light of the relative achievements of central dominance and local self-reliance, the United States should beware of such veiled attempts to introduce central direction as were contemplated in the Sheppard-Towner Bill.<sup>2</sup> The most valuable elements of her education are local in their origin, and perhaps the least valuable of England's are central. The English strains from which America can learn are not the result of central guidance, but of the voluntary tradition. Finally, further efforts should be made to secure a nearer approximation to equality of opportunity, including education for the negro.<sup>3</sup> This seems to offer a legitimate field for the use of central funds. These funds could at first be made conditional on *proportionate* expenditure locally; but any conditions in the shape of *specified* local expenditure should be considered at best in the nature of a temporary policy, and should be watched as a dangerous precedent. American localities have made free use of central advice, but are loath to accept central direction.

What then is the conclusion ? The hope of education lies in local self-government; the hope of local self-government lies in education.

<sup>1</sup> e.g. Cleveland has made a start in this direction by making available, at public expense, special education for those children who early show musical or artistic talent.

<sup>2</sup> Cf. p. 322.

G.C.G. II.

<sup>3</sup> Cf. p. 315, footnote 3.



## PUBLIC HEALTH

§ 11. *Significance of public health.* It is generally assumed in England that public health is the primary function of local government. It occupies in the minds of officials and students of local government a place analogous to the one accorded education in American cities.<sup>1</sup> In both, the reasons are to be found in the historic development. The error—if it be an error—of elevating public health to the central place seems to have its root in the fact that it is local government, and not local *self*-government, that is considered. In government *for* the people, health may well be the centre; but in government *by* the people, it is evident that education must take precedence if the people are to mould their own environment. In the case of actual popular government, public health effort can rest only upon an educated public opinion; and to put it in a secondary place is not to detract from its absolute importance.

The significance of a study of public health development in the two countries centres around three factors. In the first place, like education, being of profound national as well as local importance, it should shed light upon the problem of central-local relationship. In the second place, it furnishes a good 'test case' of the effect (if any) of education upon other functions. Finally, it reveals strikingly the divergent workings of paternalism and democracy.

§ 12. *Comparative development of public health.* The origins have been considered earlier.<sup>2</sup> It will be recalled that the centralizing efforts of Chadwick to force health

<sup>1</sup> This was constantly evident in interviews with the officials. The health of the people is the 'chief concern', 'the most pressing duty', etc., etc. The reply of the Treasury to inquiries as to what loans would be sanctioned for new expenditures brought out the general principle in 1916, 'urgent necessity in the interests of the public health or for the furtherance of the war'. Cf. also pp. 180 f., 229, 356, etc.

<sup>2</sup> Cf. pp. 75, 42, etc.

work upon uneducated local authorities brought a reaction. For a number of years the central department, under the leadership of John Simon, relapsed into an advisory body, designed to educate and stimulate local effort. This was a period of preparation, distinguished as much by the really creditable and advanced efforts of a few cities, as by the neglect of the majority. The employment of the borough councils as urban sanitary authorities, made health the central purpose of their corporate existence.

The American cities were relatively without the benefit of central advice. Central compulsory effort was exceptional and usually resented.<sup>1</sup> Local ignorance made health incidental, and local self-government was under the handicap of state legislative interference.

Thus, in the earlier course of public health, England secured a decided lead. Her large cities were, many of them, unaffected by the national minimum, and the powers extended offered a considerable scope for local freedom.<sup>2</sup> The United States cities, on the contrary, were suffering an eclipse of good government, though to the extent that public health or sanitation involved lucrative contracts, a considerable amount was accomplished. On the other hand, efforts at disease control, etc., were uncorrelated or used for partisan advantage.

In England, the prominence of the earlier functions of sanitation and disease control continued till about 1905. Almost every year had witnessed supplementary Acts added to the Act of 1875.<sup>3</sup> Compared with the United States there was some restraint felt—from finance and central distrust—yet local energy continued to be conspicuous in obtaining private Acts. Public health expenditure, unlike education, was regarded as locally 'beneficial'; and continued to occupy a prominent place in the minds of the local authorities. The United States gained even more rapidly during this period.<sup>4</sup> This was

<sup>1</sup> Cf. p. 97.    <sup>2</sup> Cf. p. 181.    <sup>3</sup> Cf. pp. 180 f., 229.    <sup>4</sup> Cf. p. 75 f.

owing to the stimulated local rivalry, the growth of advisory central departments, more ample resources, and education. On the whole, 1905 found the cities of the two countries not greatly different in respect to public health—the United Kingdom possessing a slight advantage.<sup>1</sup>

From about 1905 to the present day there has been developed a new type of public health function—distinguished for the most part by being more closely associated with the person than with the physical environment.<sup>2</sup> This is evidence of the growth of the humanitarian impulse that has become so strong in both countries during the present century. Infant welfare, child welfare, control of tuberculosis, and control of venereal diseases are examples. It should be noted that these services partake somewhat of the nature of education in that, unlike most of the older public health functions, they do nothing directly to enhance the value of rateable property. Hence they furnish a test of the meaning of 'beneficial' expenditure as the term is used in the United Kingdom.<sup>3</sup> It is not surprising, then, to find in all these services, increased pressure on the part of local authorities for central aid. The new and presumably 'onerous' nature of public health was recognized by the Committee of 1914, by its inclusion in the list of 'semi-national' services. Accordingly this new phase bears considerable resemblance to the general course of education in the two countries. Local financial stringency, emphasis on national interest, local weakness resting upon a 'rate-payers' psychology' scarcely educated to support even public health measures which did not promise immediate financial return; all meant greater central initiative and a share in the burden by the central government. This in turn involved control of policy. Voluntary initiative,

<sup>1</sup> Death rates, E. and W., 1901-5, 16.0; U.S., 1900-5 (registration area only), 16.3.

<sup>2</sup> Cf. pp. 356, etc.

<sup>3</sup> Cf. pp. 400-403.

however, increased its efforts at stimulus and co-operation in a manner which kept alive much local interest that otherwise might have been lost.<sup>1</sup>

The corresponding movement in the United States was mixed in its nature. There were some central grants, notably the Federal venereal disease grant<sup>2</sup>—and voluntary effort was quite as powerful as in England;<sup>3</sup> but, like education, the great bulk of the health effort was local. Both the central and the local departments seem to have placed more emphasis upon research and health education<sup>4</sup> than did England. Whether American local effort, together with more education and greater financial resources, had as yet overtaken the earlier lead which England obtained through a judicious combination of local and central effort (but which she strove to keep through centralization) is a debatable question. It is enough to point out that there is little to choose, and that the United States is gaining.<sup>5</sup>

§ 13. *Conclusions as to the present and future position of public health.* Surveying the course of public health as a whole, it appears in the United Kingdom as probably the central function of municipal government. Certainly

<sup>1</sup> Cf. pp. 376, 377, etc.

<sup>2</sup> Cf. p. 321.

<sup>3</sup> Cf. summary of voluntary organizations on p. 609.

<sup>4</sup> In the organization of health clubs, public health weeks, etc., cf. *Better Times*, var., which gives a considerable space in each issue to health work, both public and private.

<sup>5</sup> Cf. p. 359.

Death rates per 100,000 :

	U.S. (1920)	E. & W. (1920)
Tuberculosis (pulmonary)	100·8	87
"    other forms	13·4	26
Cancer - - - -	83	116
Diphtheria and croup -	15·3	14 (16 if 'laryngitis' is included)
Measles - - - -	9	19
Whooping cough - -	13	12
Influenza - - - -	71	28
Bronchitis - - - -	13	99
Pneumonia - - - -	83	99
Total (all causes) - -	1,306	1,239

Newsholme, *Vital Statistics*, pp. 373, 375, 425, 440, 442, etc.

local effort has expanded it to a degree not reached by the functions in which the local authority has had a less free hand. This tends to confirm the view that it is the freest functions which are the most developed. Its position has made health the centre for grouping allied functions to an extent not approached in the United States. In the United States 'sanitation' is generally a part of the department of 'public works', and playgrounds are associated with recreation or education. The later development of public health in England has assumed a distinctly paternalistic character, seen most clearly in health insurance and municipal housing. The nationalistic trend has meant collectivism.

In the United States public health is a distinctly secondary or derivative function, resting upon the self-reliance of the cities and deriving its support from an educated local public opinion. Its emphasis is individualistic, choosing rather to place a larger emphasis on educating the person to his part than in mass imposition.<sup>1</sup>

The future seems less certain in England than in the United States. In the former the distinctly national aspect assumed has made it necessary to aid the localities in undertaking the newer functions. Inasmuch as it is probable that future developments will be of the character of these latter (i.e. benefiting the individual rather than rateable property), the outlook is not reassuring for an electorate that is not educated far beyond the point of considering such expenditure 'onerous'. In the United States local effort has been the foundation, and has gone no farther than it could 'carry the public'.<sup>2</sup> Hence the emphasis has been upon health education and upon the interest of the person—not of property. The task of

<sup>1</sup> Cf. p. 306.

<sup>2</sup> This phrase is often used in the United States to express the necessity of keeping the citizens informed and interested in a municipal service, in order to popularize expenditure for it.

educating a whole people seems to have progressed far enough, so that local option in America accepts voluntarily fully as much of the new type of effort as the national government in England has succeeded in inducing localities to accept through a liberal use of funds.<sup>1</sup>

England has had a wonderful tradition of public health. In its earlier days it was the inspiration and envy of those who worked for a similar end in America. Yet there is much left to be desired in the way of a further emphasis upon the individual. In the past her local authorities made good use of their freedom. They should again be given a similar opportunity, through making available more ample resources, and through a withdrawal of central supervision. Although this latter may seem initially a step backward, in the long run the experience of the United States as well as of the United Kingdom seems to show that it pays.

National interest, as well as local, is best served by local freedom and central leadership, for thus comes ultimately the best development. In the final analysis, civic health effort must rest upon the education of individuals in this phase of citizenship; for only thus can come individual co-operation and support of health expenditure. Such education does not result from a withdrawal of local responsibility for policy, nor does it come from an educational system which effectually denies all save the

<sup>1</sup> e.g. maternity and child welfare, school medical service, tuberculosis control, etc. The grants to localities for public health are either negligible or non-existent. The Federal grants for venereal disease have now ceased. The result of health welfare work may be seen in the following figures: Infant mortality—New York 71, London 81, Cleveland 83, Liverpool 107, Philadelphia 89, Birmingham (Eng.) 83, Seattle 51, Manchester (Eng.) 97. Tuberculosis—New York 89, London 107, New York State 105.6, Birmingham 97, Glasgow 105, Manchester 132, Liverpool 128 (data from *World Almanac*, 1923, p. 760; 1922, p. 528). Tuberculosis—England and Wales (1921), 112.7; U.S.A. (1920), 114.2 (*U.S. Public Health Service Bulletin*; *Registrar General's Report*—quoted in *Daily Mail Year Book*, 1924, p. 202).

rudiments to the great masses and which disregards direct training for citizenship.<sup>1</sup>

#### HOUSING AND TOWN PLANNING

§ 14. *Regulation of building.* The housing problem is one in which the United States has confined itself largely to regulation, while the United Kingdom has gone farther and made actual provision of houses a municipal enterprise. While the regulating aspect borders closely upon town planning, two or three points may be noted in passing. The American tax on land has aided in making the tenement house America's characteristic housing problem; while over-crowding of the single house—arising from the rating system—has been the difficulty in the United Kingdom.<sup>2</sup> The great amount of wooden construction in the United States has made the problem of fire prevention assume an importance unknown in England. The fire losses in London in 1919 came to 6s. 8d. per capita; in New York City to \$2.22.<sup>3</sup> In Great Britain as a whole the average annual loss is about 5s. 7d. per capita; in the United States it is over \$3.00.<sup>4</sup> The per capita expense of fire protection in 1910 in American cities averaged \$1.89; in British cities 8d.<sup>5</sup> The individual builder has found the cost of wooden building, plus the extra cost of the insurance, to be less than the cost of brick. The fact that the cost of fire prevention is borne by the community at large, removes this element as a possible differential from the cost of the wooden buildings—though the fire protection is

<sup>1</sup> i.e. through the direct inclusion of 'civics' in the curriculum. There is a certain amount of incidental instruction in connection with history, etc.

<sup>2</sup> Cf. pp. 532-534, and Appendix J.

<sup>3</sup> *World Almanac*, 1922, p. 555; *L.C.C. Statistical Abstract*, 1920, p. 57. These are average post-war years.

<sup>4</sup> Cd. 1945, 1924, p. 17. Estimate by *Journal of Commerce*, quoted in *World Almanac*, 1923, p. 93.

<sup>5</sup> Cf. Appendix D.

in such a large degree made necessary by the latter. In this fact is found the excuse for a plan used in a few American cities, which might prove adaptable to experiment in England. There are a few cities where, if negligence or violation of one of the building by-laws can be proved to be the cause of a fire, the cost of the use of the fire department may be assessed against the owner or lessee.<sup>1</sup>

The English regulation of housing has taken the form of the 'model by-law', an illustration of the weakness inherent in centralized thinking. The opinion is quite unanimous<sup>2</sup> that these not only have hampered building development, but have aided in the ugly uniformity of pattern that has characterized the working-class house.

§ 15. *The present housing crisis.* It is not proposed to deal at length with the advisability of municipal house-building, inasmuch as its effects are too controversial and technical a subject.<sup>3</sup> However, there are a number of the less apparent aspects that can be made to stand out more clearly after a comparative study of the American method of meeting a similar situation.

The background of the crisis has already been traced in both countries.<sup>4</sup> The cardinal principles of the American solution were reliance on private enterprise (prosecuted to break the monopoly), allowance of an economic rent, (with a few efforts at mitigation), and, in the case of New York, exemption from the mortgage tax and (for a limited period of years) from the property tax. The effect of this latter is a subsidy to the 'marginal' house equivalent to the present capitalized value of the tax exemptions. The competition of the new

<sup>1</sup> In England (by local Acts or with doubtful legality) a few cities charge for the services of the fire departments. There is no attempt to discriminate between the careless and the careful (Royal Commission on Fire Prevention (Cd. 1945, 1924), p. 154).

<sup>2</sup> Cf. p. 417.

<sup>3</sup> Cf. Bibliography, p. 649, for books dealing with the subject.

<sup>4</sup> pp. 360 ff., 306.



houses thus built—and for which an economic rent is charged—serves to generalize the benefit of this apparent subsidy by forcing rent reductions on the houses already built. Hence the device is fair enough in that it does not tax one group for the benefit of another. The question immediately occurs whether there is not a corresponding rise in the amount of the tax paid by others. This addition to local cost is less than would at first be supposed. American cities tax capital value, not usufruct. Hence a large measure of the increase of burden falls on land, including that on which the house is built.<sup>1</sup> This tax cannot be shifted, and stimulates improvements and further house-building. Furthermore, a much larger percentage of American local expenditure met from local taxation goes for purposes whose expenses tend to vary with population,<sup>2</sup> not with area or property value—for example, education. Thus in these very considerable items there is little expenditure added, as additional house-building normally does not involve an increase in population greater than would occur under conditions of overcrowding. In addition, certain expenditures (paving, sewage, etc.) that are dependent upon area are not paid for as a whole out of the general property tax, but are in part the subject of special assessments which are not included in the exemptions. After the term of exemption has expired the city will have so much additional wealth to tax. To this must be added the arrest of a rising expenditure for health, police, etc., which must have come had not the overcrowding been checked. Thus the rise in the tax rate does not appear so formidable. At any rate, the result was that by 1923 the housing crisis was passing, and building was above normal.<sup>3</sup>

<sup>1</sup> Land \$4,976,001,082, Improvements \$4,565,004,738, Real Estate of Corporations \$282,488,900, Special Franchises \$426,500,910, total \$10,249,995,630 (*Report, New York City Commissioners of Taxes and Assessments, 1922, p. 16*).

<sup>2</sup> Cf. Appendix D.

<sup>3</sup> Cf. p. 307.

The contrast with England is remarkable. Private enterprise broke down as a solution. Even where municipal contracts were let to private builders, there was evidence of monopolistic practice—which remained unprosecuted. The Rent Restriction Act—justified as a war measure and by the small margin of subsistence—brought tangled assessment, a virtually complete stoppage of economic building by private enterprise, and a very considerable loss in rent on municipal houses. Municipal housing was tried as the ‘way out’. Practically every city taxed itself to the full extent of the 1d. rate, and the vastly greater balance of the debt was thrown on the nation—a procedure justified by the national emergency and the strain on local finance. Yet even with the heavy subsidy, the building has not satisfied the normal annual demand—to say nothing of any remedy for the five years or so of arrears. For a time there was little sign of private enterprise, and the crisis in national finance forced the cessation of government efforts. For the year 1922-3 private enterprise had reached only about 15,000 houses of all descriptions.<sup>1</sup>

The basic reason for the virtual impasse was found in a rating system that penalizes building and acts as a tax on room space.<sup>2</sup> Like a vicious circle, overcrowding brings higher rates for health, police, and municipal housing; and every such rise in rates is by so much a check upon building through private enterprise. Given the existing rating system, the situation cannot grow better, except (1) by a rise in the general wage level (almost hopeless now) that would permit larger expenditure for rent, or (2) by a lowering in the cost of building (offers some hope, but the cost is probably as low now (1926)

<sup>1</sup> Data may be found in a condensed form in the *Daily Mail Year Book*, 1924, pp. 69-71. A subsidy up to £12 per house per year for twenty years was determined upon under the Housing Act of 1923. £6 of this was to be a charge upon the Exchequer. The local authority might add to this up to another £6. Cf. also *supra*, p. 360 f.

<sup>2</sup> Cf. pp. 525-530.

as it can be, and there is still little result), (3) by a lessening of the population.

What is the way out? The government is faced with two alternatives—continued building at a large public expense, and a change in the rating system. This latter is not to be accomplished by simple exemption, as in New York City; for though this might mitigate, ultimately the success of such an exemption system rests upon the tax being upon property, not upon rateable value.<sup>1</sup> The final alternative is a tax on the capital value of land (with or without a tax on the capital value of improvements). This would remove or lessen the growing penalty placed by the existing system upon additional building and room space.<sup>2</sup>

§ 16. *Town planning.* The origins of town planning form a good illustration of the power of civic consciousness.<sup>3</sup> In both countries the initial steps were taken by the localities; in the United Kingdom, in their united corporate capacity, through action of the Municipal Corporations Association. The appearance of this new function in the United Kingdom coincided with a period in which the central departments were particularly strong. How much the detailed departmental control imposed in the 1909 Act held up local effort has already been suggested.<sup>4</sup> It was the more hampering, because of the traditional desire to safeguard property rights. It will be recalled that at the close of the war the local origins and impetus were lost sight of in a great compulsory national measure which retained central direction.<sup>5</sup> The opinion of those closely in touch with the situation reveals that in this activity, which would seem distinctly

<sup>1</sup> The rates on the existing buildings would inevitably rise. The Rent Restriction Act already holds rents down below an economic level, and hence benefit would not be diffused as in America, where the competition of the new houses acts as a lowering factor on the rents of existing houses.

<sup>2</sup> Cf. p. 528.

<sup>3</sup> Cf. pp. 302, 359.

<sup>4</sup> p. 360.

<sup>5</sup> Housing, Town Planning, etc., Act, 1919.

a local affair, the reliance upon the central department and the failure of local initiative are growing.<sup>1</sup> The American efforts continued local, and have enjoyed a consistent and fairly unhampered development. By the beginning of 1923, 27 per cent. of the urban population lived in 'zoned' cities. This represented 109 communities as compared with 55 the previous year.<sup>2</sup>

The points emphasized were characteristic. The United Kingdom was compelled to regulate the number of houses per acre in the new districts, as the result of the rating system and graduated tramway fares. But at the same time there has been a refreshing emphasis on unconventional beauty and irregularity. The civic pride of American cities has expressed itself in civic centres and zoning systems—the latter stimulated in their development by the greater need for fire protection. The greater congestion of traffic has demanded attention, while the relative ease of land acquisition has made more extensive parks possible.<sup>3</sup> Each country has much to teach the other in the matter of technique, but the hampering effects of departmental restraint upon the initial local efforts in Great Britain weaken seriously the case for compulsory town planning under central direction—the more so, in view of the recent success of the autonomous American cities.<sup>4</sup>

#### MUNICIPAL TRADING

§ 17. *Municipal trading and public utilities.* A glance at any bibliography on city government will reveal the thoroughness with which municipal trading has been

<sup>1</sup> Interviews with various central and local officials.

<sup>2</sup> Survey, U.S. Division of Housing and Building, 1923.

<sup>3</sup> Cf. Appendix K.

<sup>4</sup> Cf. Bibliography, p. 649; also *supra*, p. 303. Zueblin, *American Municipal Progress*, chaps. ii, xvii, gives a popular account of its early progress. German cities have been in advance of both in point of time, having had freedom save in specifically reserved powers.

discussed.<sup>1</sup> There is little to add here, though certain elements may be noted that illustrate points similar to those advanced in connection with other functions.

The vigour of private enterprise, the presence of enormous profits, were among the factors in checking in America any development to parallel the original wave of municipal trading in England. Relative to other functions, English municipal trading has enjoyed freedom from central administrative control and a reasonable measure of acquiescence, if not encouragement, from Parliament.<sup>2</sup> For the localities, municipal trading offered an inviting means of reducing rates and cost of service. The two principal eras of municipal trading, the '70's and the '90's, coincided with the high-water-mark of British municipal self-government—at a time when the American cities were rightly being distrusted by their people, and, with less justice, restrained in this field of activity by their state legislature.

It is frequently a subject for comment that public utilities as a whole were much earlier and more extensively developed in the United States, and this is often advanced as an argument in favour of private ownership. The causes of this development were wholly economic. Greater natural resources brought greater profits. In the initial stages there was a large amount of governmental subsidy through tax concessions, more favourable franchise, and direct grants or loans. Whether the smaller threat of municipal trading was also a factor is debatable.<sup>3</sup>

The aspect of corruption in connection with franchises, so prominent in American cities, seems wholly absent from British cities. Franchises are largely under the control of Parliament through private bills, though local vetoes are allowed in some cases.<sup>4</sup> The English cities

<sup>1</sup> Cf. p. 651. A particularly illuminating comparison between the tramways of Glasgow (municipal) and Boston (private) occurs in Lowell, *Government of England*, vol. ii, p. 250 f.

<sup>2</sup> Cf. pp. 208 ff., 363 ff.

<sup>3</sup> Cf. pp. 81, 65, etc.

<sup>4</sup> Cf. p. 183, footnote 1.

have shown less tendency to 'persecute', less of the element of conflict, and more of the element of reasonable compromise.<sup>1</sup> There is little ground for supposing private ownership of public utilities the primary cause of corruption in American cities, or for supposing that municipal trading is a solution.<sup>2</sup> The problem is not so simple. British cities which have retained private ownership are no more corrupt than those distinguished by municipal trading. On the other hand, the latter have certain complications owing to the large number of municipal employees.<sup>3</sup>

#### POOR RELIEF

§ 18. *Central v. local control.* Neither nation has been conspicuously successful in its dealings with poor relief. It is well known that the problem is far greater in the United Kingdom,<sup>4</sup> the reason almost invariably assigned being the relative scarcity of natural resources. It may be suggested, without pressing the matter at this point, that there are three or four further important reasons for the greater poverty that can be influenced by the state or city. Unlike the United States, the United Kingdom has no tax on the capital value of land, and hence the utilization of the existing resources is farther from the maximum.<sup>5</sup> The United States has prohibition, which releases the land heretofore used in grain for liquor for other uses, and which permits the services of the men engaged in the liquor trade to be transferred to other

<sup>1</sup> An exception occurred in Birmingham late last century, where the city corporation and the tramway company were in almost continual conflict. Cf. Bunce and Vince, *Birmingham*, vol. iii, p. 88, etc.

<sup>2</sup> This was the contention of many American municipal reformers, among whom were Howe, Johnson, Pingree, Zueblin, etc. Cf. p. 612 for a discussion of the causes of corruption.

<sup>3</sup> Cf. p. 347.

<sup>4</sup> Expenditure per capita (1910) on relief of distress: American cities, \$1.13 (4s. 7½d.); English cities, 12s. 9½d. (\$3.11). Cf. Appendix D.

<sup>5</sup> Cf. pp. 545 f., etc., for discussion of this point.

channels of productive effort.<sup>1</sup> In the third place, the English educational system, built as it is on status, lacks the element of *hope* which distinguishes the schools of even the poorest American slums, and which reacts upon individual effort and initiative.<sup>2</sup> Finally, there is in England, the lack of the 'will to work'—which means less output per man—in no small measure accounted for by the hopelessly uninteresting and unstimulating environment in which the labourer is forced to live. American *cities* have been active in the converse of all these. They tax land; through local option, many of them secured prohibition in advance of their state or the nation; their schools, with all they contain of hope,<sup>3</sup> are largely creations of local effort; the cities are fostering community centres, parks, home building, and home owning, in a way that is going to the heart of their slum problem.

Central control in England is perhaps at its maximum in poor law administration. Local variety and experiment (such as abolishing all public outdoor relief, so successful in the United States) has been seriously checked by the central department, which in turn has failed to substitute much research of its own. The breakdown of the 'principles of 1834' was in a large measure the fault of the Local Government Board.<sup>4</sup>

Turning to the local authorities in both countries, one sees that local control has been subjected to grave abuses of a sufficiently similar nature to attribute them

<sup>1</sup> Expressed in monetary terms (after deducting excise) the expenditure for drink is probably in excess of £200,000,000 a year. If this were done away with, it would mean an average annual net addition to the alternative purchasing power per family of about £20—which does not take into account any gain in individual efficiency.

<sup>2</sup> Cf. p. 437 f.

<sup>3</sup> It is quite a common thing for an American teacher—even in the slums—to emphasize the possibility of each pupil becoming President. The advisability of ordinary ambition to rise is also everywhere stressed.

<sup>4</sup> Cf. p. 246.

more or less to a common cause. These abuses were exaggerated in the United Kingdom by the *ad hoc* character of the boards of guardians. The result has been a large amount of selfish interest in their election—on the part of advocates of liberal relief or perhaps of interested shopkeepers. The rest of the electorate have regarded the rate for the poor as onerous. In the United States also, the department of charities has tended to sink into an obscurity which encourages its use for political purposes.<sup>1</sup> Where it has not been hid in the convenient obscurity of county government,<sup>2</sup> it has been a neglected part of the city machinery. In both countries direct control of poor relief by the electorate has resulted in public interest in a large measure being confined to those with something to gain thereby.<sup>3</sup>

The great and lasting successes in both countries have not been by the local authorities. In the United States, as far as government is concerned, they have resulted under central administration, which permits classification and which makes the unit too great for any considerable 'spoils'.<sup>4</sup> At its best, this is combined with the other group of successful agencies—the voluntary. The most satisfactory adjustment in this respect seems to be a state-controlled and state-supported institution, with an appointed voluntary board of managers. Local relief, in so far as it has been voluntary, has been conspicuously successful—for example, the 'Associated Charities', the 'family reconstruction' work, etc. The reports of the Poor Law Commission leave little basis for any but similar conclusions with regard to local work in England; but the Minority Report, together with the recent policy of Parliament, raises grave questions as to the philosophic basis of poor relief.<sup>5</sup>

<sup>1</sup> Cf. p. 593.

<sup>2</sup> Cf. *Report, New York Committee on Taxation and Retrenchment* (Legislative Document, 1923, No. 55), ch. iv.

<sup>3</sup> Cf. p. 234.

<sup>4</sup> Cf. McCombs, *State Welfare Administration*.

<sup>5</sup> Cf. p. 367.

G.C.G., II.



§ 19. *Philosophy and policy.* The policy of the United Kingdom is to remove the 'stigma' by diffusion. It is based on an emphasis of the state's and society's responsibility for amelioration of conditions which they are assumed to have created, or which are inherent in the present economic order. It is this sort of reasoning that has brought the system of social insurance and old age pensions, and that is an underlying motive of the free feeding of school children and efforts for a free nursing service. It is distinctly paternalistic in its character. The depression of 1921-6 witnessed a considerable breakdown in the curious combination of old and new policies which marked the transitional period to complete paternalism. There is no attempt at this point to suggest ultimate effects. Perhaps the normal margin of subsistence of the working classes is so low, due to causes heretofore enumerated, that no other policy save generalized provision for childhood, old age, sickness, unemployment, widowhood, and maternity is possible, if great suffering is to be avoided.

The policy of the United States is to create an environment in which the 'stigma' will exist only when the individual is himself to blame. This is the explanation of much of the effort (educational, etc.) toward the creation of equality of opportunity. It is based on an emphasis upon the individual's responsibility for his own welfare and that of his family.<sup>1</sup> Prohibition found a considerable measure of support—not paradoxical—in the desire to create as wholesome an environment as possible for the children. The 1921 crisis in industry was borne largely through individual savings. There were no 'doles', which in their incidence on national taxation have themselves served to prolong the crisis in England. The municipal expenditure for charity in Detroit—probably

<sup>1</sup> There is no stigma resting upon a child in an orphanage, though a considerable measure attaches itself to the parent.

the most seriously affected of large American cities—was \$1,928,372.00 (1921-2), an average of about \$2.00 per capita, \$17.79 per individual relieved, or \$49.60 per case<sup>1</sup> (usually a family). Corresponding data for British cities are difficult to obtain. However, London in 1920-1 spent £6,825,000 or £1 10s. per capita. This last did not include expenditure out of loans, old age pensions, or the government's share in health and unemployment insurance.<sup>2</sup> Here also there is no attempt to suggest the consequences, immediate or ultimate, of such a policy as that of the United States. The instances of suffering have in a large measure been met through voluntary effort. The margin of subsistence of the vast majority is on the whole great enough to give it more than the shadow of justification in the light of actual individual opportunity. Both England and the United States, in their contrasted emphasis on the responsibility of society and the responsibility of the individual, have a hold upon a profound truth. Future developments will be watched with interest. The United Kingdom is proud of how much it has done for its unemployed; the United States is proud of how little it has been necessary to do.

To summarize:

Local administration of charities by locally elected bodies is subject to inherent grave abuses. Central supervision merely tends to weaken local responsibility, as well as to lessen opportunities and inclination for local experiment. Actual central administration of indoor relief permits wider classification, but should be tempered by voluntary control. The questions of outdoor relief and social insurance are so involved in peculiar national philosophies, that to pass judgment is beyond the scope of this book.

<sup>1</sup> Data computed from *Detroit's Government*, p. 3.

<sup>2</sup> *Local Taxation Returns*, 1920-21, Part I, p. 44.

## POLICE

§ 20. *Contrasted conditions.* Police administration is the most conspicuous failure in American city administration. Central and local interests by no means always coincide, and at times may be antagonistic.<sup>1</sup> Yet here, if anywhere, there can be no weakening of the rule of law, for it is fundamental to state authority.

How then is this apparently inherent conflict between central and local interests to be solved? Unlike education, health, poor relief, and in fact all other functions, there can be no waiting for local education or local initiative to undertake a delayed enforcement of law in order to strengthen the subsequent basis of the law. Such a course weakens, rather than strengthens.

The solution of the United Kingdom has been satisfactory. The grant-in-aid, with a light yoke in details and policy within the limits of the law, has at least checked any attempts at official or unofficial local veto. In the United States the efforts at solution have been varied, and each of them has been wrecked on the rock either of home rule or of corruption. Supplementary state forces, when used to enforce laws locally defied, have usually increased local resentment.<sup>2</sup> Removal or threat of removal of local officials by the governor has driven the defiance under cover, but has not done away with it. Central police—modelled after the London Metropolitan—have often been the tools of partisan advantage.<sup>3</sup> Enforcement through the courts, being slow and often corrupt, has been no improvement. Even public opinion has often not been law-abiding in the cities.

The contrasted conditions of the two countries contain part of the explanation. Great Britain has a uniform and

<sup>1</sup> The thinly veiled defiance of the prohibition law by certain city authorities is a case in point.

<sup>2</sup> This does not affect the question of the usefulness of state police in automobile cases, etc.

<sup>3</sup> Cf. pp. 105, etc.

law-abiding population. In cities of the United States the great majority of crimes are committed by the non-Anglo-Saxon element.<sup>1</sup> This in its turn is so heterogeneous that it increases the variety of problems.<sup>2</sup> What had been cherished national customs in Europe were often found to have the status of crimes in America.<sup>3</sup> The police force in most large cities is largely Irish; and while these probably do better than any other single race, they cannot hope to understand the psychology of such diverse peoples as the Slav or the Latin. Nor is the support of law which might be expected from the Anglo-Saxon element forthcoming.

In addition to population composition, there is a great contrast between the two countries in the type of legislation. The United Kingdom has kept a large measure of individual liberty, which is impossible without anarchy in a mixed population of alien language. The Puritan strain in America has brought a large amount of sumptuary legislation which is without parallel in the United Kingdom.<sup>4</sup> This has gone beyond the necessities, and has brought real repression in many instances.<sup>5</sup> Finally, the advanced stage of the anti-monopoly legislation has brought problems of its own. In general, the bulk of support for all three of these types comes from the agricultural and middle classes. Sumptuary and anti-monopoly legislation tempts the rich to break these laws, while at the same time the rich are the most insistent on enforcement of the repressive type. With the excuse of ignorance, which the rich do not have, the poor are likely

<sup>1</sup> e.g. the homicide rate for negroes in the South is 24.5 or more than four times the white rate of 5.8 (*World Almanac*, 1922, p. 369). The Poles, Irish, and Italians show a relatively high criminal rate.

<sup>2</sup> Cf. p. 604.

<sup>3</sup> e.g. drinking.

<sup>4</sup> Chiefly seen in the betting, gambling, vice, and liquor legislation. With reference to disregard of existing betting laws, conditions seem to be much worse in the United Kingdom, though the laws are much less stringent.

<sup>5</sup> Witness the expulsion of the Socialists from the New York legislature in 1919.

to resent and, in the case of many of the non-Anglo-Saxons, to disobey the repressive and sumptuary legislation; but the poor form the bulwark of local anti-monopoly battles.

Recent revelations in Cleveland show that the contrasted judicial systems have their share in the greater problem in America.<sup>1</sup> In the United Kingdom the respect for official position sanctions a haste in judgment that would be resented in the United States; but which must aid in the impression of the inexorableness of the law. The appointive nature of the judiciary places them outside the range of popular criticism. In their elected judiciary, the people of the United States have little confidence, particularly in the case of minor justices. The slowness and complications of justice are notorious.<sup>2</sup>

The result of the contrasted conditions has been often commented upon. The homicide rate in thirty-one American cities in 1920 was 8.5 per 100,000;<sup>3</sup> in England and Wales 0.3. Contrary to the opinion in England, prohibition, at least initially,<sup>4</sup> has lessened the amount of crime. For example, in New York State (1917) the commitments to county jails numbered 39,978; in 1920 they were 8,167; in 1922, 12,150.<sup>5</sup> Its effect upon the public attitude toward law enforcement is more problematic. Personal investigation confirms the opinion that the corruption in the police forces themselves is far from inconsiderable in both countries.<sup>6</sup>

§ 21. *Recommendations.* Only certain palliatives can be suggested, and even these present peculiar difficulty. The greater freedom for experiment in the United States will allow the determination of how far defective judicial

<sup>1</sup> Cf. Moley, *Cleveland Crime Survey*.

<sup>2</sup> *Ibid.* pp. 10 ff., 31.

<sup>3</sup> *World Almanac*, 1922, p. 368.

<sup>4</sup> *Whitaker's Almanac*, 1924, p. 488.

<sup>5</sup> Lane, *Crime in the United States*, p. vi of the American Supplement to the *London Times*, July 1922, q.v. for further data.

<sup>6</sup> Investigations of this type must obviously be regarded as confidential to obtain the truth.

procedure is a contributory factor. Within limits, more concession to 'home rule' should be made through allowing local option in sumptuary legislation. The secret of the measure of success accorded to prohibition is found in the local option that preceded it.<sup>1</sup> The experience of England with the grant-in-aid should be used. It is the only plan of central-local relationship that America has failed to try for her police. However, there is little hope of ultimate material remedy until those who know better lend their support to the enforcement of each and every law that is constitutionally passed (whether to their liking or not), though naturally they may rightly work through legitimate channels for its repeal. This respect for law is the greatest lesson of England to America in the problem of police. Until the people of the cities of the United States shall have learned this lesson, they must remain ashamed of their own weakness in self-government.

For the United Kingdom there is little new to offer. The police forces on the whole seem to suffer somewhat from inertia and certain forms of corruption.<sup>2</sup> Scandals of this nature the Home Office control is almost impotent to unearth. Once a greater local interest shall have been aroused in local government in general, there will be more criticism of any police shortcomings.

## RECREATION AND SOCIAL WELFARE

§ 22. *Recreation.* Recreation is the latest of city activities. From the aspect of the child, there is little for each nation to learn from the other, save in the matter of technique which is beyond the province of this book. The results of the apparently divergent philosophies of

<sup>1</sup> The majority of the population had voted itself dry by local or state option prior to the ratification of the amendment. (Cf. *World Almanac*, 1919, pp. 31, 779.)

<sup>2</sup> Interviews and personal investigation. Particularly prevalent in connection with street betting.

paternalism and equality of opportunity bring results in child recreation not materially different.

The provision of adult recreation postulates a community spirit, and hence it is a splendid test of the interpretation put upon local self-government. In England this provision at city expense is virtually *nil*.<sup>1</sup> Occasional band concerts, etc., savouring of paternalism, are almost the extent of it. *Participating* recreation remains in voluntary hands.<sup>2</sup> It is this last type which is becoming a community project in the United States. The 'Community Christmas Tree' is symbolic of its spirit; but the community centre, being more than a mere recreative agent, is its supreme expression.<sup>3</sup> That this began in the schoolhouse and found there its chief opportunity for development, shows the centring tendency of the school. Its activities are almost as varied as human activity itself.<sup>4</sup> In the growth of its self-government, the distinction between government and voluntary action is fading. Its ultimate significance lies in the 'spirit of home rule' which it personifies.

§ 23. *Social Welfare.* Social welfare can scarcely be listed among the functions of the city. It is not a function, but a force. In both countries the voluntary element has been most prominent—whether through independent effort, co-operation with the city, or influence upon the city.

As in all functions which do not contribute directly to rateable property, the emphasis in the United Kingdom

<sup>1</sup> The cities even charge for the evening use of the school buildings by the ratepayers of the neighbourhood.

<sup>2</sup> e.g. the so-called 'Citizens' Institutes' of Liverpool. <sup>3</sup> Cf. p. 304.

<sup>4</sup> The list given in Zueblin, *American Municipal Progress*, p. 424, includes gmnastics, physical games, swimming, dancing, parties, entertainments, drills, quiet games, library, singing and other music, clubs (literary, debating, dramatic, parents and teachers), boys' and girls' organizations. In addition there have been frequent instances of ward associations, open forums, evening classes, etc. Experiments have taken place in co-operative buying. Resolutions to city, state, and national authorities are frequently discussed and passed.

has tended to be national rather than local. This has expressed itself in extensive subsidies for maternity and child welfare work, the later phases of health and education, etc.<sup>1</sup> Local government has indeed been hampered in its powers through lack of funds, but it is hampered also by its own weakness and popular indifference.<sup>2</sup> There is little parallel to the locally developed departments of public welfare of American cities. In these latter the community spirit has found a wide field for experiment, and the experiments themselves have added to the spirit. The local taxes are less felt; the chains of 'powers and duties', where they exist at all, are but light. It is not without its significance that phraseology expressive of the spirit of the self-reliant and free city should include terms such as the 'city mother', 'public defender', and the 'kid's judge'.<sup>3</sup> The question that faced cities of both countries in welfare work was the alternative between self-reliance in working out a locally adaptable programme, or reliance upon central subventions with its consequent surrender of discretion. The choices were different.

#### CONCLUSIONS FROM THE STUDY OF THE FUNCTIONS

§ 24. *Framework.* For the sake of their bearing upon the problems of city government that remain for discussion, it is well to conclude with a general summary of the chief lessons that seem to emerge from the study of the city, function by function.

In a consideration of the proper framework of the city, one must bear in mind that functions are vital and dynamic, and demand a machinery capable of making necessary adjustments. These adjustments include the ability to group—as now one, now another function seems central. Thus education in the United States gathered to itself a series of minor developments, and

<sup>1</sup> Cf. p. 405.  
G.C.G. II.

<sup>2</sup> Cf. pp. 371-374, etc.  
G

<sup>3</sup> Cf. p. 303.



health exhibited similar phenomena in England. This grouping appears to be a shifting thing in which a new function, such as recreation or public welfare, may emerge to combine certain phases of the old functions with new elements. In addition to this ability to group, there must be an ability to correlate; as functions, such as poor relief, town planning, etc., inevitably trespass upon the province of other functions. Finally, the framework must be able to adjust itself to expansion of single functions, such as recreation, health, or education. It must incorporate the reasoned choice of the city as to which one of the functions shall be *central* in this process. The importance of the choice between health and education in this matter has been suggested.

The evidence leaves the field of usefulness of the *ad hoc* body an open question. At least some of its evils in the past have come from the disposition of central legislatures to allow local government Acts to be dominated by functional considerations, to the exclusion of consideration of sound principles of framework.<sup>1</sup>

§ 25. *Finance.* There seems little doubt that British cities are much more hampered in finance than are the American cities. In addition, it has been suggested that the rating system complicates the problems of housing, town planning, and poor relief.<sup>2</sup> It is evident that the systems of finance are among the most vital factors affecting functional development. More of their connection will appear later.<sup>3</sup>

§ 26. *Central-local relations.* In the relations of the city with the central government, it seems clear that in the functions in which there has been the greatest local freedom, there has also been the greatest local activity. In England this is illustrated by health and municipal trading; in the United States this latter function has illustrated the converse. Where the interests of central and city governments are contradictory (as in police and

<sup>1</sup> Cf. pp. 384, 170 ff.

<sup>2</sup> pp. 457, 461.

<sup>3</sup> pp. 521-550.

poor law), the evidence is uncertain and complicated. It seems to be true that in certain matters a centralization will voluntarily be developed through local effort.<sup>1</sup> There is also evidence which would point to the desirability of central aid at certain stages.<sup>2</sup>

§ 27. *Political philosophy.* The paternalistic trend of British functions is as clearly marked as is the American emphasis on individual self-reliance. Class distinctions have been factors in education, poor law, and recreation provision. In both countries voluntary bodies have become of great importance in the newer functions. The actual functional accomplishments of the two countries show less difference than the political or social philosophy underlying them. Whatever the angle of approach, the needs that face a great city are remarkably similar, and will doubtless continue so—whether the emphasis be national or local, paternalistic or individualistic. The next generation must be educated: the health of the inhabitants must be conserved: their property and person must be secure: their leisure time must be filled. Yet in the very provision of these there is another function which city government may perform. This is *the political education of its citizens in the actual exercise of government*. As each separate city fulfils this function, so will the nation be the stronger.

<sup>1</sup> Cf. pp. 232, 94. Examples are Welsh intermediate education, American prohibition.

<sup>2</sup> p. 15.

## IX

### THE FRAMEWORK OF CITY GOVERNMENT

*Charters must assure responsibility and foresight in the legislative function, and efficiency in the administrative—Criticism of the charters of the two countries—The need for variety—Home rule is the best way to achieve the necessary flexibility in charter-framing—The problems of area and direct government, with the experiences of the two countries compared.*

#### THE PROBLEM OF FRAMEWORK

§ 1. *Essentials of a sound charter.* A study of city government framework of the two countries reveals a wealth of comparative material. Not only are the differences between the two countries great; but the variation seems, if anything, greater within the United States itself, where it is the product of a multitude of historic facts and a variety of legal bases.

The central problem of the framework of city government is to facilitate the performance of the functions *according to the people's will, and for the people's good.* That is, the government must be responsible (to the majority), and at the same time, possessed of foresight. It must be able to secure the benefits of popular criticism and to withstand its dangers. The great problem confronting the student of political theory is the reconciliation of the two aims. Such reconciliation has been sought by two main methods:

(1) centralization, in which the legislature or the

departments assume the role of trustee for future generations, or use a superior knowledge to guide or to direct local authorities;

(2) education of the electorate, and retention of local autonomy. Those who favour the second method, point out that local self-government is itself an educator.

The ultimate aim in either case is to make self-government conform to good government.

When viewed from the angle of administration rather than of legislation, the central problem involves securing two qualities in the personnel of the government<sup>1</sup>—expert knowledge of the technique of a function, and executive ability (which includes ability to correlate, open-mindedness, etc.). It is the union of the executive and the expert which constitutes *efficient* government.

The ideal framework is one which produces in the best measure the legislative qualities of responsibility and foresight, and an administration by an efficient union of the expert and the executive.

Yet a charter which appears to possess all these qualities may actually be the best to meet the situation only of the moment. The people's will is a changing thing. Functional development is dynamic, not static. Progress alters technique. New adjustments must constantly be made in grouping, correlating, and expanding. Thus the charter must not only possess the four qualities at a given moment, it must be capable of adjustment to correspond to variations in the factors that determine these qualities. The perfect charter must thus, in addition to the four qualities mentioned, be at the same time *flexible*.

These five qualities (responsibility, foresight, expertness, executive ability, flexibility) are supremely important, and furnish the criterion by which a charter is to be judged. Consideration of the alternative of centralization to supplement local effort in their attain-

<sup>1</sup> To these may be added 'honesty'—for which cf. pp. 612, 619.

ment must be left till later.<sup>1</sup> It will be assumed for the present that the solution sought is a local charter which will secure the people's will and serve to reconcile it to the people's good under self-government.

#### SELECTION OF OFFICIALS

§ 2. *The electorate.*<sup>2</sup> The first step is the delimitation of the electorate. When the 'people's good' is mentioned, all the people are meant; but the reference to the 'people's will' is a more limited use of the term—for example, children are not included. Hence it is fair to justify a limitation of those whose several wills are to be counted, for the sake of the general good of all. This is consistently done in practice.

Denial of franchise on the ground of incapacity appears correct in principle; and its application to minors, imbeciles, and criminals raises no question. The justice of its application to women has until quite recently been assumed. The so-called 'literacy test' is an issue in certain American states;<sup>3</sup> and with the manifold opportunities for education it seems a reasonable test of capacity.

Denial of franchise on the ground of divergence of a group from the general interest, rather than from inherent incapacity, has been used in some instances and mooted in others. The barring of aliens is the most obvious, and the barring of paupers probably also comes under this title. The experience of the South under negro rule

<sup>1</sup> pp. 580-592, etc.

<sup>4</sup>

<sup>2</sup> *Minutes of Evidence, Royal Commission on Local Government, 1923*, Part I, Appendix I, p. 135, contains a history of the franchise in English Local Government.

<sup>3</sup> Passed in New York State, 1922. Other states which previously had a similar law include California, Connecticut (reading only), Florida, Georgia (reading only), Maine, Maryland (reading only), Massachusetts, Mississippi (reading only—or explain Constitution), New Hampshire, N. Carolina, S. Carolina (unless registered before 1898), Washington, Wyoming (reading only—exempt if physically disabled). These represent a total of fourteen states (*World Almanac, 1922*, p. 431).

following the Civil War has been used as a tacit excuse for drawing the colour line. The great growth in the number of municipal employees has raised the question as to their influence in elections. It is often felt that their individual interests are so frequently contradictory to the general interest as to make disfranchisement advisable. Such plans usually contain provision for separate representation on the council or its committees.

Denial of franchise to non-ratepayers (whether through a requirement of property qualification, plural vote, or otherwise) in reality presents a special case of 'divergence from the general interests'; though much of the thinking that underlies it has implied that non-payment or lack of ownership furnished a test of incapacity. The fundamental error in the argument of 'divergence' in this instance is the assumption of too limited a scope for city government. Such thinking restricts its province to a business organization, and disregards its equally important service as a social agent.

Denial of franchise to non-residents has certain debatable aspects. Tax- or rate-payers may be entitled to a vote, though they are not a part of the city in its capacity of a social agent. The problem is somewhat exaggerated by the question of area. If voting were denied to all non-residents, the right to vote might prove a small inducement toward annexation for the suburban residents who pay city rates or taxes. The effect of the vote is problematic. It might prove to be distinctly opposed to education and other expenditure classed as 'onerous'.<sup>1</sup>

§ 3. *Nomination and election.* The selection of members of the local authority comprises eligibility, nomination, and election. The lesson which England can

<sup>1</sup> According to Mr. Murch, a leading Conservative organizer of Liverpool, the number of non-residents eligible to vote in Liverpool is under 8,000, out of a total electorate of 307,514. Most of these are confined to the Exchange Ward. On the other hand 34 out of 146 members of the Council (1922) were non-residents. (Liverpool *Municipal Year Book*, 1922, pp. 36 ff.)

teach the United States in the first named, is that in general the wider the field of choice, the more apt is the city as a whole to be considered. Restriction of eligibility for the council to residents of the ward that elects them has been in some measure responsible for the smallness of mental stature of American city legislatures, as well as for a large and costly amount of 'log-rolling'.<sup>1</sup>

A large field of experiment still remains in the nomination process. If the place of party in city government is at all justified, it is not so much to secure the people's will as to assure the people's good. It is an attempt to do the people's thinking for them. The English system of nomination by petition is such that party is kept only because the people so desire.<sup>2</sup> There is no obstacle to entire removal of party from local elections, if popular sentiment demand. Unlike the situation in England, one of the chief obstacles met with by those American cities which have tried to rid themselves of the party yoke, has been the complexity of the nomination process.<sup>3</sup>

The history of American cities points to a similar need for simplicity in the election process. Their experience in this and in the nomination process provides a wealth of suggestions as to what not to do.<sup>4</sup>

Proportional representation (under the Hare System) combines the primary and the election in one. When it is applied to election of a city council it is probably the surest known device to obtain a 'cross-section' of the city, and to assure a mirroring of the popular will. The question of its advisability rests somewhat on the stage of the education of the electorate, or upon the degree and number of divergent 'groups' which struggle for representation.<sup>5</sup> It unquestionably represents the most advanced stage yet reached in city government;

<sup>1</sup> Cf. pp. 126, etc. <sup>2</sup> There are no party designations on the ballot.

<sup>3</sup> Cf. p. 155.

<sup>4</sup> e.g. pp. 127 f., 271, 16, etc.

<sup>5</sup> For example, it might readily be used as a device to secure representation of religious or racial opinion, rather than political.

and would be the ideal plan for local self-government, if responsibility and foresight could be combined in the mind of the electorate itself through education. Experiments are being watched with more than usual interest, particularly with the view to ascertaining how far the councillors will subordinate the interest of the group that elected them to the general interest of the city.

#### CONSTITUTION OF THE LOCAL AUTHORITY

§ 4. *Importance of framework.* It is the constitution of the local authority itself that is the crucial point in a study of framework. Most of the main principles underlying the limitation of the electorate and the selection of the elected officials are quite generally accepted—however much their detail may still be the subject of experiment. There is an element of error in the truism that the man to be elected is the most important single element in good city government. The error involved comes from disregarding what has been so apparent in the history of the city governments of both countries—namely, that the framework itself not only may greatly limit or enhance the usefulness of the men who are elected, but may itself be a type which inherently attracts good men or repels them from office-seeking. Men change with the vicissitudes of political fortune, but the influence of framework is constant for good or for ill.<sup>1</sup>

§ 5. *Criticism of the British type.* The framework for all British cities is essentially the same. It is distinctly indigenous in its development, and bears no trace of the influence of other countries. In its way it is an expression of the national character.

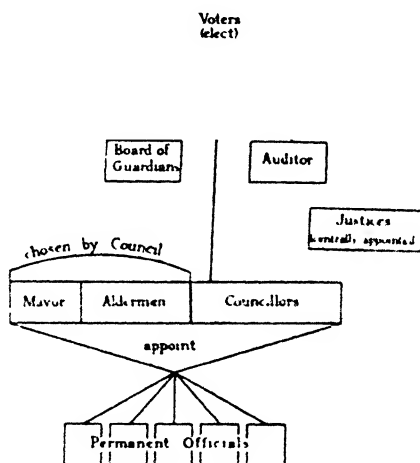
An analysis by the tests proposed above shows that it usually satisfies the demands for responsibility on *any specific point*, within the powers delegated. The loopholes are three in number. In the first place, it is well

<sup>1</sup> Cf. particularly pp. 124, 194, etc.



known among local authorities, though not among the public, that the central departments have of late acquired the responsibility for a considerable amount of local administration, in which (whether through financial pressure or otherwise) the local authorities have little choice left save to comply. In such matters the local public is virtually impotent.<sup>1</sup> Secondly, there is a type of local question in which the interest of the council as a

DIAGRAM OF BRITISH MUNICIPAL CHARTER.



corporate body is inherently not coincident with the public interest. This will be noted again, in the discussion of direct government.<sup>2</sup> Finally, though the public may usually attain a *specific* matter in the *details* of administration, *general* administration—involving broader questions such as economy—is more difficult. This is caused by the absence of any one man (or small group of men) whom the citizens could hold responsible. This absence of a 'fountain head' or of a central personality weakens the effect and lessens the extent of organized criticism.

<sup>1</sup> Cf. pp. 374, 406 ff., and Appendix L.

<sup>2</sup> p. 510 f.

Efforts at foresight in the charter are less encouraging, but are far from negligible. The continuity of the aldermen and the tacit policy of re-election of those who have served well,<sup>1</sup> are forces which make for good government. On the other hand, there is a failure to develop a central planning unit which can survey the needs of the city as a whole. Inbreeding and subordination have tended to minimize the vision of the permanent officials, so that there is too much tendency to follow precedent. The British have not sought to obtain a local solution of the problem of foresight, but have left the matter largely in the hands of the central departments.<sup>2</sup>

The British charter has secured expert knowledge in its permanent officials—if the term ‘expert’ is confined to the routine of administration. This latter is admirably done, and the basic reason rests with the tradition of permanence of tenure which the cities themselves established.<sup>3</sup> In addition to the factor of permanence, the expert character of the local civil service has been further strengthened of late by well conceived local plans of promotion and examination. In the latter, national associations—often of the employees of the class in question—have developed standards of qualification which the cities have shown themselves ready and willing to accept.

The weakness of the British city framework lies in its growing failure to develop executive ability commensurate with the greater problems facing it. The framework was developed on the theory that the committees should provide the ‘vision’ in the individual services, and that the council as a whole should correlate and

<sup>1</sup> Cf. Appendix N.

<sup>2</sup> Cf. p. 410 f. The lack of a ‘social welfare’ character of the city administration is not due so much to framework as to the rating system and an uneducated public opinion. Cf. pp. 542, 437, etc.

<sup>3</sup> Cf. p. 187.

proportion. In the earlier days both tasks were fairly well performed, and the committee's part is still carried out satisfactorily where capable councillors are elected.

The reason for the increasing ineffectiveness has already been suggested in the history,<sup>1</sup> and re-emphasized in the consideration of the functions.<sup>2</sup> The key to the situation lies in the fact that each function, being dynamic, has become increasingly complex. Under the existing framework, the situation could be met in three ways. (1) The thinking might be centralized—the choice made in many cases.<sup>3</sup> (2) Locally, more able permanent officials, gifted with wider outlook, might solve the problem. While much has been done to bring this about, yet the very submergence of officials, their inbreeding, and the *legalistic* character of government tend to keep them close followers of precedent. (3) A better type of councillor is needed—either for their own share in administration, or (what is more difficult) to be wise enough to allow a permanent official free play in any sound scheme of development. Instead of this, a deterioration in the type of councillor is perceptible. Few, if any, maintain that the type to-day is better than that of the '70's or '90's—in spite of the greater need.<sup>4</sup> Is this because the central departments have so largely taken away the possibility of local initiative—relegating only details; or is it due to a defect in the charter?

Recent times have brought to light still another weakness, more serious and more clearly arising from the nature of the charter. Not only has the committee work become increasingly arduous, but the adjustment between functions has grown in complexity and difficulty.<sup>5</sup> Councillors find themselves of necessity more and more

<sup>1</sup> pp. 378 ff. Cf. also *Minutes of Evidence, Royal Commission on London* (P. P. 1894, vol. xvii), Q. 9,491.

<sup>2</sup> p. 471.

<sup>3</sup> e.g. education, town planning, poor relief, the newer health functions.

<sup>4</sup> Cf. Appendix B.

<sup>5</sup> Cf. p. 379 f.

preoccupied with committee work, and the council collectively has less and less the capacity to view the city government as a whole. Neither is there an effective correlator among the employees, nor has the council itself a committee to perform this, save one whose members inherently (as in the case of the whole council) tend first to look after their departmental interests, and only secondly after the general interests.<sup>1</sup> The mayor might possibly perform such general service, but (as has often been pointed out) he has too many ceremonial duties, and tradition would prevent him over-riding the decision of a committee even if he were given the power.

The framework of British cities has as yet evolved no adequate solution of the problem of adjustment between functions, so that each may occupy its proportionate place (no more, no less) in the general administration. The council as a whole, which was originally designed to perform this, gives promise of becoming increasingly impotent with further growth in city activity.<sup>2</sup> Changes or reorganization within the council to permit experiment in solving this problem of correlation are not easy. The committee bias of members stands in the way. Thus a 'general purposes' committee, even though composed of members not on other committees, would be in danger of being over-ridden if it attempted to alter a committee programme. Though such a plan offers some hope, it must first meet with and conquer the tradition of committee autonomy which has separated British city government into watertight compartments.<sup>3</sup>

Changes or reorganization in a local authority by Parliament can only be by private bill. There is no

<sup>1</sup> Cf. pp. 380, etc.

<sup>2</sup> Cf. pp. 381 ff.

\* That the state of affairs implied in the preceding paragraphs exists, is very difficult to prove. (Cf. pp. 378-384.) It is, however, the general impression obtained from study of and visits to the individual cities. Birmingham is a possible exception.

Liverpool has had some success through the efforts of its 'Co-ordination Committee'.

precedent, and it is almost hopeless to expect a council to 'unorganize' itself sufficiently to petition for such a drastic measure.

Hence, though the people can obtain specific changes in functions (such as  $\frac{1}{2}$ d. transfers or continuation schools) if within delegated powers, there is no way for them to obtain a general reorganization or readjustment for efficiency or economy; and the situation is in danger of growing steadily worse with every new function or every addition to an old one. A charter which was admirable in 1835, may be narrowing or disintegrating in 1926. It is incapable of the flexibility necessary to adjust itself to modern conditions. A possible solution is the election of men 'big' enough to reorganize. Even so, there is no guarantee of the permanency of their adjustment.

§ 6. *American council type.* The American charters are often composites of indigenous development and foreign influence.

The old American council system, which seemed so like the British type in its administration by committees, came to be possessed of two defects which utterly discredited it early in American history. Once the mayor became independently elected, popular attention was deflected from the council, in spite of the fact that the latter as yet possessed through its committees the bulk of the administrative power.<sup>1</sup> If a mayor is to be independently elected, he must be possessed of correlating power commensurate with the position he inevitably assumes in the popular mind; and this the council type did not give him.

The second defect was due to the appearance of the 'spoils system'.<sup>2</sup> The hope of continuity in a system of administration by committees rests in a large measure in the employees in immediate charge of administration. The spoils system did away with this. Above all, the lack of permanence of tenure made wellnigh hopeless

<sup>1</sup> Cf. p. 109.

<sup>2</sup> Cf. pp. 17 f., 135, etc.

—without compensatory advantages—any attainment of expertness in routine or detail. There was also a lack of the security for honesty that comes with permanence of tenure during good behaviour, and that comes indirectly through the check on the committees themselves by such permanent employees. The source of strength of a system of government by committees of the council lies in permanence of tenure for the salaried officials,<sup>1</sup>

§ 7. *Government by boards.* Government by independently elected boards<sup>2</sup> has now no supporters. It did, however, illustrate the need of a correlating agency. Where the plan worked, it found such an agency in the party 'boss'. This is undesirable, even if it were possible in England, owing to the consequent weakening of the principle of individual responsibility. At its best the plan gave good administration of particular functions—notably education, parks, and libraries.<sup>3</sup> Mention of the type at this point is to call attention to the growing similarity to it shown by the English type, in respect to the independence enjoyed by the individual functions at the expense of weakness in administration as a whole.

§ 8. *Mayor-council type.* The mayor-council type, which in its sundry forms is the basis of government for the majority of the larger American cities,<sup>4</sup> is founded upon the principle of separation of powers, through independent election of the executive. It may still be considered as the typical American plan of city government.

Within this general group of charters are great variations, in principle as well as in detail. The mayor-council type is at its weakest where 'checks and balances' are incorporated, for this has resulted in an obvious failure to satisfy the test of responsibility. At least in its less fortunate forms, it is rapidly being abandoned.<sup>5</sup>

<sup>1</sup> This is well brought out by Lowell, *Government of England*, vol. ii, p. 201.

<sup>2</sup> Cf. p. 111.

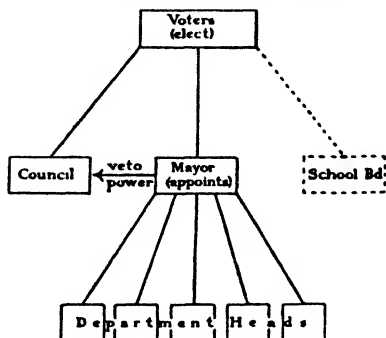
<sup>3</sup> Cf. pp. 233, 495, etc.

<sup>4</sup> Cf. pp. 272, 292.

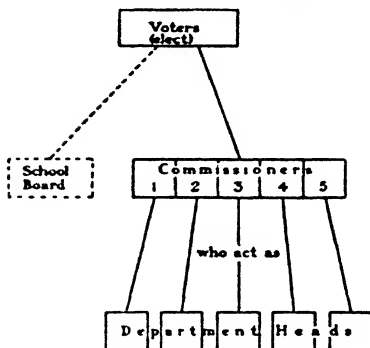
<sup>5</sup> Cf. p. 272 f.

# DIAGRAMS OF 'SHORT BALLOT' CHARTERS.

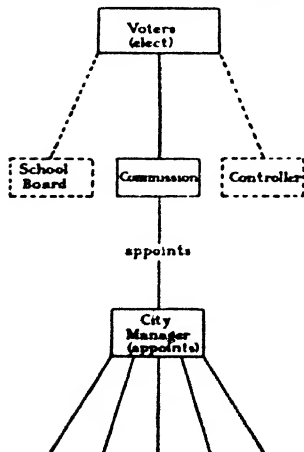
## (1) Mayor-Council Type.



## (2) Commission Type.



## (3) City Manager Type.



The type is also weakened by a large or a bicameral council. By the nature of the charter itself, the desire of the people for a single centre of responsibility, coupled with the tendency to 'personify' government which was so marked a factor in the growth of the executive to prominence, have caused attention to be centred so much on the mayor that a large or unwieldy council becomes obscured in the public mind.

The mayor-council type is at its best with an autocratic mayor and a small council. It is this type that deserves the more lengthy examination. The mayor is held responsible by the people, and the fact that he is so prominent as an individual has tended to stimulate, for good or ill, more organized criticism than under the less striking diffusion of prominence under the British charter. However, the responsibility under *any* system of separation of powers is necessarily divided and subject to misunderstanding. Exaggeration of one branch or the other may minimize this defect, but it does not remove it. The super-position of party may concentrate the responsibility on the party itself, but it is only by a working arrangement between the mayor and council that the fiction of party responsibility can acquire reality.

Further weaknesses of the plan appear under the criterion of 'government for the people's good'. Popular election of the chief executive implies a personal following. This involves the ever-present dangers of the spoils system, with its implication that office-holding is not a place of trust, but a reward for political service. Removal, though it may extend only to the department heads with change of administration, destroys continuity. The mayor is under obligations to the people who elected him, not to the city as a whole. The spoils system, at least in the case of heads of departments, is almost inherent in an independently elected executive.

The spoils system also implies that there is no necessary connection between office-holding and expert knowledge



—except as public opinion may direct. In view of the fact that this defect extends to department heads, a great amount of wasted effort must result—for, in so far as it may involve the education of an inexperienced man in the duties of his position, such a change is seldom sound administration. In the department of police it is fatal to morale.

At its best, the plan of the independently elected mayor does tend to provide a real executive. The right type of man has an unusual opportunity to reorganize, to introduce efficiency measures, and to make adjustments to meet emergencies or changed conditions.<sup>1</sup> He is presumably prejudiced in favour of no one function. He is held responsible by the people for his administration as a whole as well as for particular parts. His department heads may also be real executives. They are often rising young men who are anxious to achieve a reputation in their profession of physician, engineer, or lawyer; and who thus are willing and glad to give the city of their best for two or three years. They bring freshness and unconventionality to their task. With the passing of the strictly partisan type of mayor, this new type of administration seems to be on the gain.<sup>2</sup>

Hence the mayor-council plan has a dramatic quality, a popular appeal, which has much to commend it. In any case it is bound to stimulate local interest in city government, on account of its inherent ability to make individual personality prominent. This in turn invites personal or partisan criticism, which effectively bars from service many who might be most valuable as city officials. In addition, it is lamentably weak in its guarantee of expert knowledge. However much in its best form it may appear to be a case of the 'autocrat and

<sup>1</sup> A good example of this was the administration of Mayor Kohler, Cleveland, 1922. He saved \$1,389,264 through elimination of unnecessary employees—while service, if anything, was improved. Corresponding economies were developed in all phases of administration. (Cf. *Condensed Annual Report*, 1922.)

<sup>2</sup> Cf. p. 333.

the plebiscite', it actually suffers from diffused or uncertain responsibility. In general it would seem as if the United Kingdom had developed the charter designed to secure the expert, while the United States had secured the executive—each being weak where the other is strong.

§ 9. *Commission government.* It is with a considerable measure of diffidence that one turns to a criticism of the two more recent American plans. Any new plan inherently tends to work well at first, and the introduction of the commission plan was often precipitated by a particularly bad administration under the mayor-council plan.<sup>1</sup> Thus through contrast it often gained more praise than its due. The city manager plan is on an even more precarious basis for criticism. Not only is it little more than a decade old, but no city of the first magnitude has as yet tried it for long.<sup>2</sup> Accordingly criticism of both these types must suffer from the extent to which it is *a priori*. On the other hand, even a superficial view of the plans convinces one that they are far from partaking of the nature of a 'counsel of despair', which has been the epithet hurled at them by certain British critics.

The commission plan of government was the outgrowth of the failure of separation of powers to provide clear responsibility to the electorate.<sup>3</sup> The simple and direct responsibility which the plan secures is considered its strongest point. One possible weakness should be noted. Particularly when non-partisan, it seldom develops organized criticism<sup>4</sup> to the same extent as the independent mayor type.

Then, too, foresight and consequent good government are not necessarily involved. These depend wholly on its

<sup>1</sup> e.g. Galveston, Des Moines, many New Jersey cities, Denver, Memphis, Nashville, etc.

<sup>2</sup> Cleveland, Jan. 1, 1924. Cincinnati, Jan. 1, 1926. <sup>3</sup> Cf. p. 274.

<sup>4</sup> The 'opposition' certainly has a valuable part to play, and there is danger of a vagueness in criticism greater than under the single responsible mayor.

ability to attract and keep 'big' men. That the commission itself is small is favourable to this. On the other hand, being dependent upon direct election militates against the needs of the future being proportionately considered.

The service of commission members as heads of departments, contains perhaps even less assurance of individual fitness for a particular department than does the purely nominal assurance under the mayor-council plan. It does not insure the expert.

On the other hand, it is supposed to permit (and usually does permit) correlation. Unlike the English council the commission is small, usually full-time, and has initial charge of the budget. It brings a considerable amount of freshness into departmental administration, and has almost unlimited flexibility, save as the implied necessity exists of dividing administration into the same number of practically equal departments as there are commissioners. There are a few complaints that this has resulted in 'several little mayors'.<sup>1</sup>

Hence, where problems are not too complex, commission government gives a freshness of administration as well as correlation. It is weak in its guarantee of expert knowledge; strong in its concentration of responsibility; but, relative to the mayor-council type, less likely to stimulate local interest.

§ 10. *The city manager plan.* The city manager plan was evolved to meet the demand for combined responsibility and efficiency. Its responsibility is simple and direct. The concentration of the administration in the hands of a single man tends to provoke more organized criticism and opposition than the simple commission plan. However, this criticism, in the first instance, affects the responsible commission which hires the manager.<sup>2</sup>

<sup>1</sup> Cf. p. 276.

<sup>2</sup> Such is the theory. In practice many city managers become public figures.

With regard to its ability to attract a high type of commissioner, in the smaller cities the plan offers somewhat more hope than the commission plan proper, as it does not necessitate full-time service. In the larger cities, there would probably be very little to choose between the two plans so far as the type of commissioner is concerned. Assurance of foresight is questionable; but if the city manager can assume a semi-permanent character, the plan offers more hope than does the commission plan. At present the changes are very frequent. Of the 128 serving January 1921 only forty-four had served as long as two years. Already there were 101 'ex-managers'.<sup>1</sup>

The appointment rather than the election of the administration offers the same opportunity for expert service as that possessed by the English charters. The fact that the city manager is often an engineer, and not (as the town clerk) a lawyer, affects the character of the administration in obvious ways. Out of 107 serving in 1919 fifty-two were engineers and thirty-two were business men.<sup>2</sup>

In its essence the plan is efficient in handling problems of correlation or readjustment. The city manager is a real executive with absolute power of action subject to the approval of the commission. This is probably the greatest single gain over the commission plan, and provokes at least equally favourable criticism in this respect when compared with the autocratic mayor type.<sup>3</sup>

Hence the plan *a priori* seems to unite the best of the other plans. It provides the single autocratic executive,

<sup>1</sup> Quoting the official publication of the City Managers Association, in a bulletin issued before the Utica, N.Y., election of 1922 opposing the plan (p. 20).

<sup>2</sup> *National Municipal Review*, July 1924, p. 398, article, Cohen, 'City Managership as a Profession'.

<sup>3</sup> In many ways it resembles the very efficient 'Bürgermeister' plan of German cities, for which, cf. Dawson, *Municipal Life and Government in Germany*.

but by subordinating him to an elected commission assures responsibility to the electorate and makes the choice of experts for department heads free from the exigencies of the spoils system. The extent of the power, enjoyed by commissioners and manager alike, must be a material factor in attracting a high type of man. The plan is essentially one that lends itself to adaptation to modern conditions of complexity, change, and greatness of problems. It is this kind of situation where the mind of the engineer is needed.

#### SPECIAL PROBLEMS OF FRAMEWORK

§ 11. *The ad hoc body.* Prior to an attempt to frame general principles as to the constitution of the city authority, there are certain special problems which must be considered. Some of these—civil service, relations with voluntary organizations, financial machinery—may conveniently be left till later.<sup>1</sup> At this point it is proposed to consider the question of the *ad hoc* body, and the special problem created by a metropolitan area.

There has been the tendency of late in England to deny that the *ad hoc* body has any place in city government.<sup>2</sup> In so far as this represents a wholesome reaction against the piecemeal constitution of several unrelated city authorities, one can scarcely disagree. The question really narrows down to whether there is a place for even *one* board directly elected, in addition to the general local authority. Few would deny 'diminishing returns' beyond this single additional board; but does 'diminishing returns' also operate the other way? Is there any evidence that would point to the undesirability of merging all functions under the single local authority? What is the best adjustment?

Certain questions must frankly be met before the case for the *ad hoc* can even receive consideration. The first is

<sup>1</sup> Cf. pp. 514-524, 608, 609.

<sup>2</sup> Webb and his school.

whether the people can intelligently vote for more than *one* class of representative. It seems fair to say that they can. In England they already vote for members of Parliament as well as for councillors, and might with very little difficulty be trusted to vote for yet another class.<sup>1</sup> The American 'long ballot' is admittedly an evil, but in this case the remedy is to remove from the ballot those offices unsuited for popular election and those in which the public is least interested, in order to reduce the ballot to the point of maximum utility. In the light of this, the advisability of the *ad hoc* body involves the question of the number of other jurisdictions for which the people must choose officials. In other words, the case is less strong in London or in a non-county borough than in a county borough, for in these former cases there are county as well as borough councillors to be chosen. Thus the most likely field of usefulness of the *ad hoc* body in England is the county borough. In the United States the variation of relations with county and state, and the presence of an elected judiciary complicate matters, and point to the lessened usefulness of any *ad hoc* body. Under these conditions the apparent gain in the use of the independently elected school board,<sup>2</sup> creates a certain amount of presumption in its favour.

The second preliminary question is whether a function can be found which may be sufficiently isolated from other functions to make its separate administration practicable. This is the great error in using the *ad hoc* body for poor relief. That destitution is anything but an isolated problem is the supreme lesson of the Minority Report of the Poor Law Commission, and points to inevitable overlapping and conflict.<sup>3</sup> Similarly public health extends into the field of sanitation, public works, and municipal trading in such a way as to make its isolation hopeless. On the other hand, police administration can

<sup>1</sup> The boards of guardians are also directly elected. Cf. p. 234.

<sup>2</sup> Cf. data on p. 313.

<sup>3</sup> Cf. p. 367.

be thus separated, and it has often been so treated in both countries.<sup>1</sup> Education lends itself to such separation, in spite of its grouping tendencies, for it can confine itself to the services centring in the schoolhouse. Whether the recent growth of recreation and child welfare as municipal functions will lessen the practicability of the *ad hoc* solution in education is a problem for the future. The ideal charter must be flexible. Park administration, libraries, and most of the individual municipal trading functions are capable of such separation. Neither public works nor municipal housing can be divorced from their intimate connection with public health. Town planning hopelessly overlaps other functions. Recreation overlaps the provinces of parks and education, and has often been merged with one or the other. Social welfare is out of the question, for even its meaning is uncertain.

Taking then the functions that have thus far seemed available—police, education, parks, municipal trading, libraries—a further test must be put preliminary to a consideration of the *ad hoc* on its own merits. Which of these functions are such that the public may be trusted to possess an interest in them sufficiently intelligent to choose specialists? Police, in so far as policy of law enforcement is concerned, must not thus be subject to a local popular veto; in so far as principles of administration are involved, the people know little and care less. Education is a different matter. Each parent knows, or should know, in general what type of person he wishes to control the schools of his children. Parks and libraries involve in the popular mind the question of public spirit, and the people would instinctively choose public-spirited men to administer them. Municipal trading activities are by nature too technical. Poor relief, which has already been eliminated under the other category,

<sup>1</sup> e.g. Metropolitan Police, London; Boston, St. Louis, etc. Cf. pp. 105 ff.

fails to satisfy this test also. It is by nature judicial, it functions somewhat obscurely, and tends to arouse the interest chiefly of those who have some end in view for themselves.<sup>1</sup>

To one surveying the functions of parks, libraries, and education, the first named, though capable of isolation, partakes more of the nature of other city activities, such as town planning, public works, recreation, or health. It can be administered in connection with one or more of these.<sup>2</sup> Libraries and education are of very similar nature, with the latter much the more important. They can be grouped together if desired. Hence the problem of the *ad hoc* body narrows down to the desirability of a separately elected board of education. That this coincides with American practice may be seen from the following table:

*Ad hoc* authorities in American cities reporting separate financial powers:<sup>3</sup>

	Total No. of Cities	School Bds.	Park Dist.	Sani- tary Dist.	Chari- ties, etc.	Port	Water	Misc.
1910	184	84	6	2	4	1	1	3
1918	227	124	6	3	1	2	2	3

In the first place, the control of education obviously should be in the hands of men distinctly different from the type best suited for the bulk of city administration. Dealings with drains or the price of municipal gas postulate a mental attitude other than that which most successfully could guide the evolution of a system of education for citizenship. By means of its framework, the city charter ought to provide for administrators of

<sup>1</sup> Cf. p. 234.

<sup>2</sup> Chicago has had an unusually successful experience with its *ad hoc* park boards. For Minneapolis (1912), cf. Parsons, *Minneapolis*, pp. 180 ff. Cf. p. 173.

<sup>3</sup> *Financial Statistics of Cities*, 1910, p. 29; 1918, p. 48.



both types, and assure that each type finds its proper field of activity. Does the charter reflect this inherent difference from other functions in such a way as to place its control in the hands of the special type of administrator needed? In the United States, under plans without the *ad hoc* board, the mayor usually appoints the entire school board. This has been criticized for its political aspect, and the tendency is rather against it.<sup>1</sup> The English practice entrusts administration to a committee of the council, and attempts to leaven this committee by provision for co-option of other members. Opinion differs as to the extent to which the augmented personnel satisfies the need for the educational specialist. In contrast with these uncertain plans, the testimony is quite unanimous that the personnel of the city *ad hoc* bodies (Scotland, United States, early England) has been distinctly of the type which parents would select. The necessary difference in personnel seems to have been secured.<sup>2</sup>

Further than this, the mere fact of separate treatment in itself tends to make education a centre of thought. Central administration or appointment by the mayor obscures education in the popular mind among a mass of other questions. Such has been the case in England.<sup>3</sup>

On the other hand, these elected educational specialists seem to have put less reliance upon permanent officials. Whether this is desirable is questionable. The fact that they are specialists tends to make them, if not extravagant, at least lavish in education expenditure, when compared with other departments of city government.<sup>4</sup> This may or may not be a good thing. The complaint of the United Kingdom is that these independent

<sup>1</sup> Cf. p. 313 f.

<sup>2</sup> Expressed uniformly by local education officials who had had experience with both types. Cf. also p. 385.

<sup>3</sup> Cf. p. 385.

<sup>4</sup> Cf. p. 313.

elections have called forth little interest—in the cases both of the guardians and of the school boards. This was much less true in the case of the latter.<sup>1</sup> Moreover, the objection may not be conclusive, for the local interest may have been lessened by the small margin of discretion allowed the local authorities by the respective central departments. In addition, from the number voting at the election of the councillors must be deducted the number present at the call of party, in order to find the real weakness of interest in British municipal government in general.<sup>2</sup> This will provide a fairer basis for judging the relative interest in education. In the case of the latter, the interest certainly would be greater than in its present submerged position. The very presence of the independent issue must itself arouse interest in education, which interest by nature grows rather than decreases.<sup>3</sup>

In the case of England, there has been a further argument advanced, which holds true only to a limited extent in the United States and in Scotland. The independently elected school board is alleged to have exaggerated the religious question in local school affairs. This has been relatively absent locally since the *ad hoc*

<sup>1</sup> In the London elections the percentage voting was as follows: County Council (1913), 52.2; Metro. Borough Council, (1912), 47; Board of Guardians (1913), 21.3 (*Report of L.C.C. to 1919* (No. 2038), p. 12 f.). In Bristol (1898) 45 per cent. of the electorate voted in the school elections—approximately the same as for council elections (Latimer, *Bristol*, vol. ii, p. 66 f.). On the other hand, in Leeds (1900) 33 per cent. voted for school board and 72.6 per cent. (1901) for council. Further data at an earlier date are revealed in 'School Board Elections (voting)' (*P.P.* 1884-5 [Serial No. 275], vol. xi, pp. 389 ff.). Beith (Scotland) registered 80 per cent. of the electorate, or more than voted for M.P.; Bradford—73 per cent.; Brighton—41.5; Glasgow—50 per cent.; Manchester—40 per cent.; Sheffield—1/3.

<sup>2</sup> Cf. p. 371 f.

<sup>3</sup> In another connection (cf. p. 587) it will be pointed out how much of the apparent lack of local interest in this and other functions may be owing to the extent of centralization.

body was abolished.<sup>1</sup> Objection on this ground is serious, and must be weighed with the other issues.

In general, then, there seems to be reason to suppose that the *ad hoc* board has possibilities of usefulness in the particular case—and only the case—of education. For the United States it has on the whole proved feasible, but would increase its usefulness with the simplification of the ballot in other directions. In England it offers one of those fields for tentative experiment which are the strongest argument for simultaneous trial of varied methods, to ascertain which is the best. The relative success of the recent education committees has not been so striking as to preclude the possibility of the *ad hoc* being found better, in the event of its re-trial by a few cities.

§ 12. *Metropolitan government.* The question of the best type of government for a city of metropolitan proportions, and the related question of devolution within a city, are too difficult to be answered dogmatically. The evidence is quite limited. London is more satisfactorily governed than New York City; but whether the particular method of devolution employed is responsible, or whether still another type might be better, is difficult to determine on account of the great variation in type between the two main bodies.<sup>2</sup> Similar reasoning applies to any comparison between satisfactory Glasgow and disgraceful Philadelphia.<sup>3</sup> It is easier to set up subordinate areas under the simple British type or the commission type than under the complex mayor-council form of government. On the other hand, it is far from impossible that the community or neighbourhood centre

<sup>1</sup> Some of the greater intensity of the issue in England can be accounted for by the continuance of denominational schools at state expense instead of at the expense of the churches as in the U.S.

<sup>2</sup> Cf. Bibliography, p. 652 f., for books dealing with the respective forms of government.

<sup>3</sup> Cf. pp. 612-618, for a general treatment of the problem of corruption in large cities.

contains the germ of a solution—one originating from the district, rather than one imposed from above.<sup>1</sup>

However, experience has gone far enough to indicate that the problems and difficulties are such as might have been predicted. Choice of functions to be devolved,<sup>2</sup> financial arrangements between the poor and the rich areas,<sup>3</sup> and the degree of control vested in the central body<sup>4</sup> are the chief of these. The American plan of election only of residents of wards by the residents of the wards themselves,<sup>5</sup> does assure attention to the affairs of the district, but is otherwise unsatisfactory. The important thing to realize is that this whole problem is a field for experiment, and to be assured that great flexibility is allowed to make such experiment. The United Kingdom now has five cities above 500,000, and the United States twelve<sup>6</sup>—in all of which the problem is inevitably appearing in a more or less acute form.

### RECOMMENDATIONS

§ 13. *The need for variety.* Surveying once more the general aspect of framework, one central fact seems to be at the basis of all problems. This is the need for variety. How true this is may be realized if one stops to think that not one of the four tests proposed—responsibility, foresight, expertness, executive ability—ever involves the same elements as between two cities or in

<sup>1</sup> The theory is developed in Follett, *The New State*.

<sup>2</sup> London suffers from a certain obscurity. (Cf. Harris, *London*, pp. 89, etc.) In New York City the citizens seem to be ignorant of the sphere of borough government.

<sup>3</sup> Cf. pp. 104, 402.

<sup>4</sup> For an illuminating study of the question, cf. *Minutes of Evidence of the Royal Commission on the Government of London* (Cd. 1830, 1923). The committee was unable to reach an agreement, although the 'Majority Report' declared against the L.C.C.'s plan for an enlarged and stronger central authority.

<sup>5</sup> Of late there have been exceptions which, while requiring nomination by a ward, provide for election at large.

<sup>6</sup> Cf. Appendix M.

the case of the same city at different times. The size of the city furnishes a problem of adjustment, the difficulty of which appears in its extreme form in the metropolis.<sup>1</sup> The location of a city—on a river, the sea, hill country, etc.—is another factor in the need for variety of charter.<sup>2</sup> The population composition in matters of religion, homogeneity, illiteracy, racial element, percentage of each sex, postulates fundamental differences, which should be reflected in variations in administrative machinery.<sup>3</sup> The dynamic changes in the functions themselves have been instanced as involving a major reason for inherent capacity for variation in a charter.<sup>4</sup>

Experiment is the only way by which progress can be possible, but it requires facilities for sharing and a willingness to learn. The advisability for such experiment constitutes the chief reason for variety. In other words, the charter should be a sensitive thing, as flexible as the city's changing needs; it should be a live thing, as dynamic as city life itself.

§ 14. *Methods of attaining variety.* How may this capacity for variation be attained? The first principle is to make the original charter as simple as possible. The less the internal organization is prescribed by statute and the more its determination is left to ordinance, the better it is able to adjust itself to changing conditions. This has been the supreme merit of the British type, and this characteristic may yet save the situation. Similarly the later charters of the three main types in America tend to possess this merit. This lesson has been fairly well learned.<sup>5</sup>

Yet simplicity is not enough of itself—for even the simplest of charters must be upon some basis of construction, and this basis may require change with

<sup>1</sup> The late Lord Bryce put the best size of the city for administrative purposes at 200,000.

<sup>2</sup> Especially in matters of harbour control, water supply, sewage, etc., where co-operation with neighbouring municipalities is needed.

<sup>3</sup> Cf. pp. 602-607.

<sup>4</sup> Cf. p. 471.

<sup>5</sup> Cf. pp. 271 f., etc.

changing conditions. Such a situation seems to be arising in both countries with regard to their peculiar fundamental principles. America is finding separation of powers defective, and England is facing the inadequacy of government by committees. It has already been pointed out<sup>1</sup> that, as far as the legal basis is concerned, either the central government may itself frame the charters, or it may delegate the power to the city. With regard to the former, the history of both countries has left grave doubts as to its adequacy or advisability to meet the situation. In the United Kingdom only a private Act can achieve the alteration, and this involves great trouble and expense. Any hope of a general adjustment through parliamentary means is faced with a history of neglect, failure to foster local government, piecemeal legislation, and subordination to national functional interests. The fact is that Parliament has too much to do; and the single instance—that of London—in which it has consistently chosen to attempt to frame a special charter, has on each occasion been settled quite largely in accord with partisan interest.<sup>2</sup> The story of American legislatures in their dealings with city charters, leads one to prefer the lesser evil of neglect. Interference, too great detail, and peculiarly pernicious partisanship have marked the long history of such efforts.<sup>3</sup>

The alternative to central control in charter-making is home rule. It was only thus that the American cities were able to emancipate themselves from the defective political theory, and from the worse application of it under which they have been labouring, and for so much of which the state legislatures were responsible. It is true that many of the instances of improvement were in

<sup>1</sup> p. 432.

<sup>2</sup> Cf. pp. 201 ff. On the other hand Birmingham by private Act was able to obtain exemption from the requirement that the minutes of committees be reported in full to the council.

<sup>3</sup> e.g. pp. 128, etc.

cities which had not yet been granted the power of direct charter-framing. Yet even in these the thought and initiative almost invariably came from the cities, and were merely incorporated into law by the legislatures. Of the charters which mark the milestones of progress in the United States, every one of importance falls under one of these categories. The 1899 charter of Los Angeles with the recall provision, the city manager charter of Dayton, and the proportional-representation-city-manager charter of Cleveland were directly home-rule charters. State incorporation upon local request accounts for the Brooklyn 'strong mayor' charter, the Cleveland 'Federal plan,' the Galveston commission government, and the Dallas Des Moines combination of direct government with the commission plan. It was local initiative that was responsible for the earlier attempts at the city manager plan in Staunton and Lockport (thwarted by the legislature, in the case of the latter). The emancipation of American cities would have been (or would be) the quicker, had they had complete home rule in this matter. The experience of both countries points to the cities themselves as being the best fitted to frame their own charters, inasmuch as a satisfactory alternative has not as yet been evolved for meeting the necessity for variety, flexibility, and continual adjustment.

If, then, the city is to frame its own charter, the question arises as to the agent within the city which should be responsible for this. The council itself suffers from the fact that any radical changes which it might introduce must displace some of its own personnel. The occasion may well arise when a change is needed, but the change may run counter to the individual interests of the councilmen. This would seem to offer an opportunity for direct methods, in which the people themselves might initiate alterations.<sup>1</sup> Whatever the agent locally, it is

<sup>1</sup> Through voluntary bodies, committees with representatives from various interests, the local bar association, etc.

certain that the charter would be less likely to partake of the piecemeal character which has marked central efforts. In the home rule cities of America the charters may be considered the barometer of city life. The tremendous capacity for volitional variety under the American system registers well the currents of political thought. In a sense this is impossible where charters are uniform and emanate from a single source. The American city charter is a sensitive thing, sensitive to motives and forces in public opinion, sensitive to changes in the philosophy of political leaders—to a degree unapproached by any other political institution in America, if not in the world.

There are certain complaints advanced against the probable results. It is charged that American city government lacks symmetry and uniformity. This is certainly true, and is a matter for commendation rather than censure. Cities are no more symmetrical and uniform in their development than are persons.

It is argued that mistakes will be made. They surely will; but is there any way, save by trial and error, to test political theories and methods? Furthermore, has central control been free from mistakes, and are these not more costly, because general?<sup>1</sup> Every city on which a uniform charter is imposed represents in some respect a local peculiarity disregarded. It is true that American local experiment brought the monstrosities of Jacksonville and Newport, but no other city ever tried their experiments.<sup>2</sup> Local experiment also brought Galveston and Staunton, and laid the foundations for American city emancipation. Both the mistakes and the successes are the products of the same capacity for variety, the same trust in local self-government. Both require that information be shared as to results, the one

<sup>1</sup> Cf. pp. 385, 265.

<sup>2</sup> Except that Brookline (Mass.) adopted (1915) the 'limited town meeting' plan after the Newport model. Cf. also pp. 111 f., 121. For Jacksonville, where the bond trustees were given power over public works and health. Cf. *Amer. Year Book*, 1911, p. 230.



to warn, the other to guide. The circulation of this information may be made the province of the central government.<sup>1</sup>

§ 15. *The ultimate type.* What then is the ultimate type of charter desired? In the light of the supreme need for variety it is unwise to be dogmatic, except for the recommendation of the adoption of local self-determination.

The United States may safely abandon all save the commission, the simplest form of mayor-council, and the city manager types. In other words, it must learn from England the lesson of the short ballot. At present the city manager type seems the best plan devised for the smaller city. The larger cities should watch the experiment of Cleveland.

Great Britain might vest at least its county boroughs with power of charter-making, preferably by a method involving the initiative and referendum. This would allow experiment in a number of plans which involve considerable change from existing conditions. Among the ones which seem to offer the most hope may be suggested: a smaller council (to attract larger men), the city manager plan, the *ad hoc* school board, metropolitan devolution, elected or long term mayor, etc. Only a trial will make possible a verdict as to the advisability of any of the above measures. It should be noted that in America the small cities have been as ready and as able as the large to evolve helpful experiments.

In every plan thus far used in either country there is one thing in common—the supremacy of the amateur and the responsibility of the amateur. The United States may put an executive in the supreme position of its autocratic mayor, but he is an elected executive and he is an amateur. Its city manager is subordinate to its

<sup>1</sup> Through 'Municipal Reference Bureaus' (cf. p. 293), etc.; or through the efforts of the cities themselves in their various 'Leagues of Municipalities'. (Cf. p. 295.)

commission. While the English plan extends the supremacy of the amateur into more details of administration, the principle of the subordinate professional is the same.<sup>1</sup> By so much the two countries betray their common faith and heritage.

#### AREA AND BOUNDARIES <sup>2</sup>

§ 16. *Annexation.* From time to time in the course of the history, notice has been taken of the importance and the difficulty of the problems of area and boundaries. Taken as a whole, three main aspects seem to be involved—annexation, federation for certain services, and relations with an intermediate area (usually the county).

The importance of annexation as the only means whereby a growing city can effectively perform functions over its logical area has been indicated elsewhere.<sup>3</sup> The psychological stimulus to local self-government arising from a coincidence of the social, physical, and economic unit with the political, is a factor no less important than the gain in administration.<sup>4</sup>

The method of solution in the United Kingdom is through private bill or through provisional order following an inquiry. Since 1888 there have been 109 extensions of county boroughs, 63 being by provisional order.<sup>5</sup> The expense and difficulty have only begun with the cost of promotion. The chief difficulty arises in overcoming the invariable opposition of the authority to be annexed. This exhibits at least three

<sup>1</sup> Home rule does not bar experiment in plans which give the professional official a higher status similar to that which obtains in Germany.

<sup>2</sup> Cf. Redlich and Hirst, *Local Government*, vol. i, pp. 228 ff.

<sup>3</sup> Cf. p. 386.

<sup>4</sup> This thesis is well developed by Gomme, in *Principles of Local Government*. It was well illustrated in the experience of such cities as Birmingham and Los Angeles. (Cf. Chamberlain, 'Municipal Government in Birmingham', in *Political Quarterly*, Feb. 1914, p. 110.)

<sup>5</sup> *Minutes of Evidence, Royal Commission on Local Government*, 1923, Part I, p. 94.

phases. In the first instance there is the strength of local ties and traditions—the attachment to the old unit. To this is added the jealousy of prerogative on the part of the council, whose territory is to be absorbed and whose corporate existence is threatened. Finally, there remains the financial objection; for, other things being equal, the annexation usually involves greatly increased rates.<sup>1</sup> These three objections the city has sought to overcome by financial concessions to the annexed district—reduced rates, etc.

The United States has experienced relatively less difficulty with the same problem. Its method is annexation by plebiscite of the district in question, usually with formal confirmation by legislative Act at no expense to the city. Material concessions to the annexed area are rare.<sup>2</sup> The success of the method contains suggestive material for the British problem. The plebiscite—held as it usually is, simultaneously with the local election—is much cheaper than the procedure of inquiry and private bill.<sup>3</sup> It avoids the opposition of the local authority to be displaced, in so far as such opposition arises out of jealousy of prerogative. This it does by going over the authority's head to the people themselves. Therein lies its real strength. It consults those who are most concerned, and who know best the intimate issues involved—the citizens of the area in question. This seems likely to give a more satisfactory solution than any verdict of a central department could possibly furnish. Under this method a verdict favourable to annexation settles finally any question of local resentment—which does not hold true, if the verdict is reached by a third party. Why, then, is there but little sentimental resentment in America at the breaking of local associations? It is the intense

<sup>1</sup> Cf. pp. 387, 534.

<sup>2</sup> Cf. p. 122. *Financial Statistics of Cities*, 1921, pp. 27 ff., gives a few instances of such differential rating.

<sup>3</sup> The total annual cost of the Birmingham scheme was about 1d. in the £ (*Proceedings, Birmingham Council*, 1910-11, p. 535).

pride of the citizens in their own city that overcomes this, and makes those of the lesser unit anxious to be members of the greater. The source of this pride is the freedom the city enjoys in moulding its own destiny.<sup>1</sup> The financial objection is sometimes raised—and rightly, if the city is corrupt. It is more usual for annexation to involve little change in the rates, or only such change as is compensated by increased service.<sup>2</sup> The reason for the contrast in this respect is the difference in the rating systems of the two countries, whereby in America land, being rated on its capital value, pays a larger share as it approaches the centre of the city.<sup>3</sup>

There are a number of objections to settlement by plebiscite. It throws officials out of employment, or deprives councillors of their office. These objections do not hold in the United States, where public offices are not vested rights. If the United Kingdom should not care to break with precedent in cases of this kind, provision for compensation could be made in the enabling order. Its effect in disarranging county finances and administration is more serious, and will be noted later.<sup>4</sup> Objections that such a solution may not be for the people's best interests, and that the committee of inquiry knows better than the people, do not find general acceptance as arguments save in the central departments themselves.

It should be noted in closing that the tinkering by Parliament and the departments, obsessed with the functional concept of local government, has resulted,

<sup>1</sup> Cf. pp. 588, 300, etc.

<sup>2</sup> e.g. tax rates, 1920: Milwaukee, 26.5; S. Milwaukee, 25.0; N. Milwaukee, 29.4 (*Municipal Information Bulletin*, No. 8, 1920; *University of Wisconsin Bulletin*, Serial Number 1,067); Cleveland, 20.36; Lakewood (a suburb), 26.60 (*World Almanac*, 1924, p. 172 f.). In Detroit more is added to the expense than to the receipts of taxes (*Compendium . . . of Detroit*, p. 141).

<sup>3</sup> Cf. pp. 534-536, for a fuller consideration of this phase.

<sup>4</sup> Cf. p. 509.

especially in the last century, in more overlapping of boundaries in the United Kingdom than in the United States.<sup>1</sup> In the United States there is the tendency to consider the locality itself as the *primary* unit to perform all functions. Any alteration in boundary automatically alters the jurisdiction of *ad hoc* authorities as well as that of the central municipal corporation. This attitude, whereby the locality is considered the unit, is suggestive of the desirability of similar treatment in England and Scotland as a solution of overlapping boundaries.

§ 17. *Federation.* The second problem of area is even more difficult. The federation of local government units for certain services, such as port control, drainage, etc., is an inevitable outcome of the increasing urbanization of certain districts of each nation. The experience of both provides a large amount of suggestive material on particular cases, but the only principle that is common to all successful solutions seems to be the presence of mutual 'good will'.<sup>2</sup>

§ 18. *Relations of city and county.* Neither country has solved its problem of the relations of city to county.

In the United States a few of the cities—chiefly of metropolitan proportions<sup>3</sup>—combine the functions of city and county in a fashion similar to the county borough of England. On the whole<sup>4</sup> this has not presented any great financial difficulty, for county finance does not usually assume the proportions in the United States that it does in England and Wales. Most cities, however, are under county jurisdiction, and pay county as well as city taxes. There is little interference of the county with the city jurisdiction, but there are other and greater evils.

<sup>1</sup> Cf. pp. 197 f., etc.

<sup>2</sup> As with the related problem of metropolitan government, the question of federation is beyond the scope of this book. Cf. Bibliography, p. 653.

<sup>3</sup> Cities of Virginia; also New York, Philadelphia, St. Louis, San Francisco, Denver, Baltimore, etc.

<sup>4</sup> Criticism on this ground was levelled at the St. Louis scheme.

The county has become the 'dark continent' among American political units.<sup>1</sup> The expense of the resultant bad management is very great, to say nothing of the confusion and indifference produced in the minds of the city electorate by the 'long ballot' which accompanies it.

In the United Kingdom the county borough system has worked fairly well, save in the matters of annexations or joint services. There have been twenty-three new county boroughs created since 1888.<sup>2</sup> Dependence on a plebiscite in the instance of annexation or advancement of status to that of the county borough, might involve grave disarrangement in county finance. In both of these instances, but particularly in the case of advancement of status, a quasi-judicial arbitration of the amount of compensation to be paid the county might be made at the request of either party concerned, if mutual agreement failed. With the amount of compensation settled in advance, the council could then decide whether it wished to advance the status of the unit.<sup>3</sup> The plebiscite could then take place under the referendum (if desired) in the case of advance in status, or under the initiative in the case of annexation.<sup>4</sup> The poverty of the English rural districts makes some such compensation just. However, it is admitted that the foregoing suggestions are made—except for the plebiscite—wholly *a priori*.

#### DIRECT GOVERNMENT

§ 19. *Direct government.* Direct government is virtually non-existent in England;<sup>5</sup> while in the United

<sup>1</sup> Cf. Bibliography, p. 653 f.; consideration of the problem is beyond the scope of this study.

<sup>2</sup> *Minutes of Evidence, Royal Commission on Local Government, 1923.* Part I, p. 94.

<sup>3</sup> Or annexation.

<sup>4</sup> The referendum might be invoked in the larger area, but in practice the citizens are usually eager for growth.

<sup>5</sup> In the case of promotion of a private bill, the sanction of a 'public meeting' has for a long time been necessary. Under certain circumstances a poll of the electors might follow. (Bannington, *Public Health Administration*, pp. 37 ff.)

States it has for a long time been a definite part of the system of most state and local governments.<sup>1</sup> It is only its use in cities that is under discussion at this point. It involves the direct participation of the people themselves through the ballot, in the decisions of actual questions of city government, which in the absence of direct methods would naturally fall to the lot of elected representatives. Its greater growth in America has already been traced, with the reasons for the same.<sup>2</sup> The object is to obtain the first principle underlying all framework, the securing of the people's will. The question involved is whether this can be done without sacrificing government for the people's good.

The United States has shown the limitations of direct election of officials. The evils inherent in the long ballot are too well known to need repeating;<sup>3</sup> and the folly of entrusting the choice of technical experts to the ballot box is admitted in theory by most Americans, though frequently disregarded in practice.

Nomination by petition and proportional representation offer ways to escape the need for a direct primary in city affairs, the details of which are beyond the scope of this book.<sup>4</sup>

The advisability of the initiative centres around the problem whether there is a type of question in which the interests of the people are inherently opposed to those of their representatives, to the extent that the latter would tend to use efforts to thwart it. There seems to be such a type of question in the case of decisions which involve alterations in the status or degree of power of the local authority itself or of the central body which enjoys power over it. Changes in charters are of this type. Annexation is a perfect illustration in the case of the council to be deprived of its status. Changes in the

<sup>1</sup> Cf. pp. 277 ff.

<sup>2</sup> pp. 277-280.

<sup>3</sup> Cf. pp. 17 f., etc.

<sup>4</sup> For proportional representation, cf. *Proportional Representation Review*, var.

nomination or election process (such as proportional representation) which involve a possible overthrow of those who were successful under existing methods, furnish another example. The home rule amendment for state constitutions in the case of Oregon was the result of the initiative.<sup>1</sup>

The referendum is more debatable. The United States cities need it at present to check abuses, particularly in franchise granting, in order to force free public discussion. The United Kingdom cities have no such need. However, they, in common with those of the United States, may find it useful as a device whereby the council, through voluntary submission of a perplexing question, may ascertain the popular will or may defeat the pressure of an organized minority.<sup>2</sup>

The recall is the outgrowth of the theory of the 'popular mandate'. Its use in the American cities that have it seems to be lessening, though it is frequently being incorporated into new charters.

The problem with regard to these last three devices is to find a way to make the 'people's will' coincide with the 'people's good', so that restraint in use and reasonably sound decisions may be secured. This involves a high general education. At the very least it should, if possible, extend to secondary education, including the teaching of civics. Genuine local self-government (perhaps including actual use of these tools of direct government) is essential. Decentralized neighbourhood groups, or centres, furnish excellent forums for such discussions, as well as actual training in self-government.<sup>3</sup>

<sup>1</sup> Bugbee, *Boston*, p. 42, deals with this type of opposition by the council to charter changes.

<sup>2</sup> In the U.S. a valuable use has been on 'moral' or 'religious' questions, involving liquor control, Sunday observance, etc.

<sup>3</sup> The now famous U.S. Army mental tests (cf. Yerkes and Yoakum, *Mental Tests in the American Army*) shed a new light on the question of direct government by raising the issue whether the inherent



The use of the recall (if advisable at all) is most applicable in the case of representatives, less so in the case of executives, and least of all justified with the judiciary. It is probable that the general level of education will never be high enough to justify the last.<sup>1</sup>

The contrast between the two countries in the use of direct government is illustrative of their differing political philosophy. Great Britain has not used these direct devices. Its distrust of the people has been almost as traditional as its devotion to representative institutions, and the two traditions join in opposing direct government. In the United States, it may be repeated that it is not so much that the people are trusted more by the government; as that the people, being the centre of the government, distrust their elected officials. Direct government had begun in America long before the Swiss influence came to give direction to its underlying philosophy.<sup>2</sup>

### CONCLUSION

§ 20. *Conclusion.* Thus a brief general survey of the problem of framework shows that type must depend largely upon the stage of the development of the city and the degree of intelligence of the electorate. The treatment given above is not designed to be comprehensive, even concerning such important points as annexation or direct methods. It is desired chiefly to bring out as clearly and as simply as possible certain points of contrast, where the experience of one country may shed light on the problems of the other. The supreme lesson to be learned from a comparative historical study of framework

mental ability of the people is or can ever be such as to warrant a proper use of the initiative, referendum, and recall. For use of the neighbourhood group, cf. Follett, *New State*.

<sup>1</sup> The 'recall of judicial decisions' in Colorado was primarily a device to 'constitutionalize' a law thrown out by the courts.

<sup>2</sup> Cf. pp. 70, 278.

is its need of flexible variety, to meet the changing situations in cities with divergent problems. That the attainment of this end involves self-determination by the city of its own framework seems to be the further lesson from the joint experiences of the two countries.

## X

### THE FINANCE OF THE CITY

*A concentrated executive is needed for internal control of expenditure—Autonomy in bonding should be granted within the limits of sound finance—A contrast of the local revenue systems reveals that a tax on the capital value of land would relieve the existing financial stringency of British cities—In America, such a tax has made possible solutions of many problems of housing, town planning, and land acquisition—If added to the present revenue system of British cities, it should stimulate the increase of national wealth by penalizing non-use of land—The objections to such a tax are not insurmountable—A complete estimate of its value must be deferred until after a consideration of the grant-in-aid, which it would probably largely replace.*

#### CONTROL OF EXPENDITURE

§ 1. *Introductory.* The finance of the city involves directly or indirectly virtually all the city's problems. Expenditure indicates, not only the growth of functions, but the value placed on each. Conversely, the revenue system may serve to hamper their growth. In its deeper incidence may often be found the reason for the presence or absence of fundamental city problems. The effectiveness of framework is perhaps most severely tested in its methods of control of expenditure, whether the control be of details, or one involving the larger aspect of responsiveness to the general will of the people for economy. Finance has probably been the chief obstacle to a settlement of the problems of area. In national policy England has made the grant-in-aid the corner stone of the central control of her cities. Poorly arranged financial checks

may be direct incentives to corruption. Over and above all of these specific evidences of the importance of public finance, it is one of the meeting points of economics and political science—exhibiting the two fields of study, not as separate, but as inherently related and interacting.

The cities of the United States and of the United Kingdom differ in virtually all cardinal points connected with public finance, in methods of control of local expenditure, as well as in sources of local revenue.

§ 2. *Framework and local control.* The historical background of developments in expenditure control has already been considered. It will be remembered that constitutional limitations in the United States for the most part were the outgrowth of the period of irresponsible framework,<sup>1</sup> while the development of a scientific budget quite closely coincided with the growth of the executive to financial prominence.<sup>2</sup> The course in the United Kingdom has been characterized chiefly by the large part played by central control and direction,<sup>3</sup> and by the growing need on the part of the local authorities for effective machinery to correlate or to apportion expenditure between departments.<sup>4</sup>

The influence of framework is very clearly revealed in this internal control of expenditure. It is obviously essential to the success of a budget that it be susceptible as a whole to the popular will. While this postulates effective publicity, even more it requires clear corporate responsibility of the authority to general demands. In the United States this latter is weakened by separation of powers, and in the United Kingdom the difficulty lies in the fact that the local authority itself confronts obstacles inherent in its form of organization. The weakness of control by a finance committee has already been suggested.<sup>5</sup> It lies in the difficulty of securing adequate

<sup>1</sup> Cf. pp. 69-71.

<sup>2</sup> Cf. pp. 68, 119.

<sup>3</sup> pp. 193, 406 ff., etc.

<sup>4</sup> pp. 381 ff., 481 ff.

<sup>5</sup> pp. 397, etc.

knowledge,<sup>1</sup> and, as a consequence of this, the greater difficulty of enforcing an effective policy upon spending committees. A similar difficulty appears in the United States in the case of a mayor with inadequate power; or occasionally in the case of commission government.<sup>2</sup> The autocratic mayor and the city manager are under no such disabilities. Their danger is much more likely to be the lack of a desire to economize, or the urgencies of the political situation.

That the difficulty in correlation represents a real defect may be appreciated by the suggestion of a few instances where such correlation materially reduces expenditure: (1) joint use of equipment and personnel, and (2) common purchase of supplies<sup>3</sup> have been employed for many years by the more progressive American cities. (3) Elimination of friction, (4) promotion of co-operation, and (5) reduction of overlapping services are well known needs of many British cities.<sup>4</sup> Most important of all, (6) it is essential that the budget-making agency should be imbued with the view-point of the general welfare of the city as a whole, and both able and willing to give effect to this view-point. The British council suffers from lack of knowledge, more than from lack of will or lack of power. The finance committee is in danger of lacking both power and knowledge. The consequence is a tendency for the spending committees—or rather, for the permanent executives, to dominate the estimates.<sup>5</sup> The concentrated executive of the

<sup>1</sup> Brought out in *Minutes of Evidence, Royal Commission on London, P.P.* 1894, vol. xvii, Q. 9,476-9,491.

<sup>2</sup> p. 276.

<sup>3</sup> Cf. p. 382, for similar efforts of London and Birmingham.

<sup>4</sup> pp. 379 ff.; also Appendix G, for plan adopted by Birmingham.

<sup>5</sup> Cf. p. 397 f. The author in his visits to various cities was particularly impressed with the jealousy of prerogative on the part of many committees—even when the council itself was the agency to question their programme. Estimates seem to be inflated in advance in order to save cherished projects by a show of economy.

American cities has doubtless proved a factor in their great number of 'efficiency' devices.

The question of audit is second in importance only to the budget in control of expenditure. There is no disposition to enter into a discussion of its technique. Audit in England has been largely concerned with legality, and there seems little to choose between the auditors appointed by the central departments and the professional auditors appointed by the larger county boroughs. It is a different matter when it comes to passing judgment on those in both countries who are popularly elected. If popular election in America does secure a relatively abler type of man (and this is difficult to prove) it would seem to be due to the fact that (unlike England) the duties comprise more than those of the expert, and generally include power in budget-framing. The traditional and unfortunate duty in America of checking dishonesty as well as illegality in expenditure, has also been a factor in arousing more popular interest in the election of the controller-auditor. But even here the result does not justify imitation.<sup>1</sup> It is probable that any service of an auditor in direction of financial policy is conditional on the presence of an effective budget-making agency to which he can report. Such a possible future development of the function of auditor would increase the desirability of further experiment on the part of English cities in more effective control over the preparation of estimates.<sup>2</sup>

§ 3. *Limitation through external control.* In both countries external limitation or check upon expenditure has been attempted both for current expenses and in bonding. In the United States this has taken the form of statutory or constitutional provisions, while in the United Kingdom

<sup>1</sup> In New York State cities, where the controller is a member of the Board of Estimate, he often obtains considerable prominence. Like other elected offices, his is frankly political.

<sup>2</sup> This is recommended by Clarke, *Local Finance Accounts and Audit*, p. 9 f.

it has been largely administrative in nature. However, this whole question of the administrative aspect of central control over finance must be deferred until later.<sup>1</sup>

Checks on current expenses have been much less frequent in the United Kingdom, where they usually have been in the form of limitation of certain specific rates. Their only effect has been a measure of restraint on the more vigorous authorities.<sup>2</sup>

More serious results ensued in the United States.<sup>3</sup> The evils depended upon the particular type of law, and most often took the form of excessive bonding. In Indiana, where some attempt was made to check this through requiring state approval, the cry of home rule became insistent. Allowance of expenditure in excess of the limit in the event of popular sanction (Oregon) had the result that municipal officials made projects with strong popular support dependent upon this additional sanction. In the state of Ohio (where restrictions on bonding also existed) tax limitation under the 'Smith 1 per cent. law' led to defaulting on bonds, deliberate mishandling of funds, immense floating debts, bonds for current expenses, and crippling of services. In other states fixing a limit often led to immediate spending up to the limit, followed by successful pressure to have the limit extended. Where debt service was included in the limit, it tended to impair municipal credit.

There seems no way to check expenditure, save through clear responsibility and a sound budget system. The burdensome rating system of England and the statutory or constitutional checks of the United States have had at

<sup>1</sup> pp. 569-572.

<sup>2</sup> e.g. (till 1912) secondary education; libraries. The tendency has been away from this (*Minutes of Evidence, Royal Commission on Local Government, Part II, 1923, p. 406*).

<sup>3</sup> Cf. *Report, Committee on Taxation and Retrenchment, New York State Legislative Document, No. 80, 1920, ch. viii*, for a concise recent study of the results of municipal tax limits. The following material is quite largely a *résumé* of the material therein contained.

least this result in common—they have encouraged bonding.

Contracting a debt involves a possible contradiction between the will of the people and the people's good; inasmuch as there is an inherent tendency for a local authority, popularly elected, to keep down the budget for current expenses by mortgaging the future. Hence it would seem to offer a proper field for some kind of external control, in order to avoid a burden on the future not justified by the presence of productive public works. At the same time the great fluctuations in current expenses that would occur if capital expenditure were met from the rates ought to be avoided. On the other hand, there is little save a pleasant fiction in an attempt to make the term of a loan coincide with the 'life of the work'. Debts tend to 'average out', and the important thing is to insure the future against too great a burden.<sup>1</sup>

The characteristic device for city debt limitation in the United States is a constitutional maximum on the total debt and on the length of each debt—with popular referendum on particular cases.<sup>2</sup> In other words, a city may not borrow beyond sound limits, and must make provision for repayment, else the debt is illegal.<sup>3</sup> However, the locality may borrow within the specified limits and, subject to its powers, for almost any purpose it wishes. In essence, the city is given as large a range of freedom of choice as is compatible with sound finance. In Great Britain there is a statutory limit under the

<sup>1</sup> This is essentially the purpose of the 'serial bond' whereby a certain percentage of the debt is retired annually.

<sup>2</sup> New Jersey, on the other hand, by statute (chap. 252, P.L., 1916, as amended by chap. 240, P.L., 1917) fixes the maximum duration of a loan according to its purpose.

<sup>3</sup> In actual practice these provisos are occasionally flagrantly disregarded. Cf. Rightor, 'Funded Debt of Cities', in *National Municipal Review*, Nov. 1922, pp. 385 ff. The maximum duration of loans is often fixed by statute in Great Britain. For example, loans for education purposes must not extend beyond sixty years. (Cf. Clarke, *Local Government*, p. 289.)



Public Health Acts, but this does not cover the bulk of the loans. In many of the American states exemptions are allowed for certain stated purposes—usually productive expenditure, municipal trading, etc. On the other hand, in Great Britain the central administrative control extends to the individual debt, and departmental sanction is supposed to be secured for each borrowing. In other words, the city does not have freedom of choice as to the purposes of the individual items.

It will thus be seen that considerably wider issues than the strictly financial are involved in the methods of the two countries, particularly as to the proper field for central control. This will be considered later.<sup>1</sup> On the purely financial side, certain things are clear.

British cities seldom pay for capital outlays out of current revenues. Capital receipts totalled £11,132,082, expenditure £11,537,231 in 1919-20.<sup>2</sup> 184 American cities (1910) made payments for outlays totalling \$279,145,899, though the debt increased only to the amount of \$125,568,426.<sup>3</sup> The total debt of 146 American cities increased from \$933,004,632 (\$44.71 per capita) in 1903, to \$1,808,828,392 (\$67.52 per capita) in 1911. The debt of comparable British urban areas in 1909-10 was £393,441,937 or £25 17s. 5d. (\$125.80) per capita.<sup>4</sup> Interest charges per capita (1910) were \$3.40 (U.S.) and 17s. 3d. (U.K.)—indicating the higher rate of interest prevailing in the former.<sup>5</sup>

In addition, one gains the impression that the loans in

<sup>1</sup> pp. 569-601.

<sup>2</sup> The amount of outlays payable from revenue was variously reported to the author by officials of the large cities as 'negligible', 'none', 'very little', etc. Figures are from *Local Taxation Returns*, 1919-20, p. 194 f.

<sup>3</sup> *Financial Statistics of Cities*, 1910, p. 44. The (approx.) total debt in 1911 was \$2,000,000,000. Depreciation (on a forty-year basis) may be estimated at \$50,000,000, leaving net payments from revenue of \$100,000,000 (approx.).

<sup>4</sup> Cf. Appendices O, P, for sources and more complete data.

<sup>5</sup> Appendix D.

the United Kingdom are generally for longer periods, and involve many items so small that they would be considered as matters for current expenditure in most American cities.<sup>1</sup> These two items, as well as the weakness of departmental control, may go far to account for the relatively greater burden of debt in the United Kingdom.

It is evident that the total of the debt and the time and manner of repayment can be regulated by statute; but whether the city or the central department shall make the choice as to the individual items, must be decided upon some basis other than financial. It seems likely that English local authorities, as long as the existing system of rating continues, will tend to borrow up to whatever the limit may be and for as long terms as possible; but this does not debar Parliament allowing them freedom within a statutory limit. Such a method would incidentally save the costs of departmental inquiries, the salaries of a number of central officials,<sup>2</sup> and the cost of the private bills involved. Such costs are all but prohibitive for the smaller authorities.

#### THE REVENUE SYSTEM

§ 4. *The sources of revenue.* The local revenue system of each country consists of one main source of income. Aside from this fact, it would also be noted that the British cities rely much more upon central aid than do the American. In 1919-20 this amounted to £22,557,074 (equal to almost half of the amount from local rates)—as compared with (1918) \$41,277,908 in the U.S., or one-eighteenth of the local taxes. By 1921 the per capita revenue receipts of American cities were \$44.32; of this, \$36.43 was from local sources, other

<sup>1</sup> A detailed study of these two items would be of considerable value. Examination of the duration of loans of Birmingham (*Financial Statement*, 1921-2, pp. 237 ff.) and of Manchester (*Abstract*, 1921-2, pp. 65 ff.) point to forty years as the average. Constitutional and statutory limits in the U.S. are usually twenty to thirty years.

<sup>2</sup> In the Ministry of Health.

than earnings of public service corporations, which were \$4.59. Receipts from central sources were only \$2.76 per capita. The total of rates and grants for all English local authorities was (1920-1) £5 14s. 6½d. per capita, of which approximately £4 os. 11d. was from rates and £1 13s. 7½d. (\$5.20) from grants.<sup>1</sup>

The minor sources of revenue in each country furnish little of comparative value, save a suggestion that America's greater use of the special assessment (about one-sixteenth of all local revenue) deserves imitation.<sup>2</sup> However, should devolution be adopted in Great Britain, there will be a fruitful field of experience available in the relations of the American state and local revenue systems.

The most important question in a comparison of the local public finance of the two countries (more important even than the control of expenditure) concerns the relative merits of the main sources of local revenue—namely, the tax on the capital value of property, and the rate on its beneficial occupation.

The origins of each of these have already been suggested as resting largely in the differing conditions of land tenure.<sup>3</sup> The two subsequent developments of greatest comparative importance in the United States were the breakdown in assessment of personal property and the tendency to exempt improvements at the expense of land. In the United Kingdom the opposite trend has gained support, and agricultural land, etc., have received exemptions at the expense of houses and other improvements. The strength of the landed party in Parliament till 1909 had always been sufficient to resist any tax on land value, and such a tax has never been at the disposal of the cities.<sup>4</sup>

<sup>1</sup> *Financial Statistics of Cities*, 1921, Tables 3, 4, 6. *Annual Report, Ministry of Health*, 1922-3, p. 70. Cf. also *supra*, p. 441, footnote 1.

<sup>2</sup> Cf. p. 325.

<sup>3</sup> pp. 9, 33.

<sup>4</sup> In the U.S. a 'land tax' is calculated on the total capital value, and is levied on the 'ground landlord' (i.e. the owner). In the U.K. most proposals contemplate calculation on the basis of rent or assessment on the increment only. The American system is the one advocated in the following pages.

The value of any comparative consideration is confined almost wholly to the tax on real property in the United States and the tax on its use in Great Britain. The tax on personal property is not essential to the American system, and it has been tacitly abandoned in many cities.<sup>1</sup>

§ 5. *Assessment.* The tax of neither country has been easy to assess, and, in the case of personal property in the United States, correct assessment has become impossible. The assessment of real property can be verified to a limited degree through the existence of a property market. Many of its abuses have been the result of competitive under-assessment in order to pay a smaller percentage of the state or county tax collected on the basis of local assessments.<sup>2</sup> Distributing the New York State income tax proceeds on the basis of assessed valuation has had limited success in remedying this abuse.<sup>3</sup> The opportunities for favouritism, most conspicuous in franchises, etc., have been considerable. On the whole the difficulties were greater in assessing improvements than in assessing land.<sup>4</sup>

Assessment in the United Kingdom suffers from variety in local method or in interpretation. The Rent Restriction Act has added somewhat to difficulties already considerable. In practice, the assessable value has been based on the rent allowed under the Act, and not on the economic rent. Much the same opportunities for favouritism to powerful financial or industrial interests exist as under the American system. A major difficulty

<sup>1</sup> Cf. Rightor, 'Comparative Tax Rates', in *National Municipal Review*, December 1923, pp. 719 ff.

<sup>2</sup> Cf. p. 84. Note also that a similar tendency revealed itself in certain London boroughs (*Handbook of Local Government*, pp. 35-47).

<sup>3</sup> Cf. *Report, Committee on Taxation and Retrenchment, New York State Legislative Document No. 55, 1923*, pp. 103 ff., for the chaos in local assessing.

<sup>4</sup> Particularly under a system such as the 'Somers'.

has arisen through the failure to adopt uniformity of practice in assessment of machinery.<sup>1</sup>

Thus a comparison with regard to the difficulties and abuses of assessment in the case of real property shows little to choose. Less opportunity or necessity for arbitrary decisions exists under the English system. Finally, the fact is clear that there is no inherent difficulty in assessing urban land at its capital value.

§ 6. *Collection.* Under the American system, collection is enforced through the direct means of confiscation and sale of the property taxed. England, through her process of compounding, has made possible the collection of the smaller amounts that she, as well as Scotland,<sup>2</sup> found difficult if not impossible to secure otherwise. For this she awards a liberal discount (usually 30 per cent.)—which the landlord keeps, and which is thus a loss to the city. Enforcement is through legal process (i.e. 'levying a distraint'). Comparing the process of collection in the two countries, the United States provides a more economical and more drastic method of enforcement. Some American cities allow delay, but there need be no evasions of the tax on real property.

§ 7. *Property v. occupation.* It is rather to the incidence and the deeper social effects that one must turn for a decisive verdict as to the relative merits of each system. The initial contrast arises from the fact that, while the American tax penalizes non-use of property, the English tax may even put a premium on it. Thus, in the United States, a vacant house pays the same tax as one of similar capital value that is occupied. Hence a house will not be held vacant as readily as in England, where vacant houses pay no rates. Furthermore, in America, vacant land tends to be 'taxed into use', for it also is assessed,

<sup>1</sup> Cf. Konstan, 'Assessment of Land', in Harris, *Problems of Local Government*, pp. 256-66.

<sup>2</sup> Direct rating was given a trial in post-war years in a few English cities. Almost without exception it broke down through the difficulty of collection.

not on its income, but on its capital value. Similarly, such a tax tends to force land already occupied into its most profitable use. Further effects of this, and its English contrast, which permits unoccupied land to be held rate free and which rates occupied land only to the extent to which it is used, will appear in more detail later. Even greater pressure to induce use is now put by many American cities, through taxing land at a higher rate than improvements. Thereby the most important difference between the two systems, namely, taxing land on its potential use, is exaggerated but not fundamentally changed.

§ 8. *Effect on buildings and improvements—United States.* This difference has a very important effect on buildings and improvements. The key to the result in the United States is contained in the penalty for non-use. Such a penalty tends to force profitable ownership; in other words, this means improvement—of buildings or agriculture. In the case of land occupied, but not in its most profitable form, it tends to force the maximum of profitable improvement. The claim of the 'single tax school' is that this profitable use is also the 'best' use.<sup>1</sup> Their further argument from this—that only land should be taxed—is only a theoretical question,<sup>2</sup> but their reasoning contains a very real element of truth in the case of the *land* tax. The tax on the house, in a normally growing population, is added to the economic rent; but other factors enter into the ultimate effect of the part assessed on land.<sup>3</sup>

The great error of many 'single tax' economists is the interpretation of 'best' as 'most profitable'.

<sup>1</sup> Cf. George, *Progress and Poverty*; Young, *History of the Single Tax*; etc.

<sup>2</sup> Not so in the case of *new* towns. In any event there would be grave danger that the non-land owner, being relieved of all expense, would relax his vigilance in municipal economy.

<sup>3</sup> The material on the incidence of property taxes and local rates is abundant and conflicting. Cf. Bibliography, p. 656, and Appendix S.

Unquestionably, if a tax on land is imposed, the owner will be more apt to find his profit in maximum use, than in partially or wholly withholding from use. Hence he will tend to improve his property. Thus in the case of a city (or nation) there will tend to result a stimulus of individual additions to improvements, and (were it not for another factor) each improvement so stimulated would be a net addition to the city (or national) wealth. There would be a diminution of the tendency to invest abroad, and an increase of the tendency to invest at home. The city (or nation) as a whole would then be *better able to bear its burden of taxation than if a tax of the same amount were imposed in such a way as not to penalize non-use*. However, this is but an instance (of which type the existing economic system is full) where individual profit and social welfare are not synonymous. At this point one is concerned only with the city.<sup>1</sup> Here the chief contradiction comes in the matter of the *height* of buildings; for the more valuable the land and the higher the consequent tax, the more likely is the land to be 'sweated'. This is the reason for the much greater population *per acre* in New York City and other large American cities than in the English cities,<sup>2</sup> whose landowners are not so driven by increasing taxes to extort the greatest possible use from their land. The 'best' use means building *up* where land is valuable; and, if not controlled, brings the tenement house and its consequent evils. In addition, such use tends to lessen the number of privately owned open spaces in the centre of cities.

What are the mitigating remedies for these evils? In the first place, there must be entire reliance on a comprehensive system of city-owned parks and playgrounds for open spaces in the central districts. The increase of value to neighbouring property which these

<sup>1</sup> A similar tax in rural areas raises issues beyond the scope of this book.

<sup>2</sup> Cf. Appendix J.

create justifies a considerable use either of the special assessment or of excess condemnation to meet the necessary expense.<sup>1</sup>

A second method of mitigating the evils is to concentrate on lessening the demand for housing in central parts of cities. If this can be done, the height of the new buildings will automatically be lower, as each additional floor costs more to build than the one below it. Hence the time will come sooner when it no longer pays to build houses higher. Aside from the very considerable part that education and other psychic factors can be made to play in lessening such demand, certain more concrete differentials may be introduced. The best known of these is the rapid transit with a uniform fare.<sup>2</sup> The greater tendency of factories to build in the outskirts, owing to the increasing value of urban land, is a counter force too often neglected in theoretic discussions of the question.

Finally, and the *sine qua non* of a solution, building codes must be adequate to the situation. Under any system of local revenue these must be relied upon to assure open spaces at the front and rear; but in addition there must be a further stringency of regulation in the matter of height, which is not so much needed under the British system.<sup>3</sup> It is clear then that, although taxing land on its capital value involves evils, these evils are not beyond remedy by a city that understands their nature.

§ 9. *Effects on buildings and improvements—United Kingdom.* The case seems otherwise with the system in the United Kingdom. The key to the problems is

<sup>1</sup> Cf. Sessions, 'Dayton . . . Park . . . Assessment', in *National Municipal Review*, Feb. 1923, pp. 70 ff., for exhaustive treatment of one method.

<sup>2</sup> The British system is to vary the charge within the distance—a more logical procedure, but a penalty upon residence away from the centre of the city. It also lessens the speed of cars in so far as it encourages short distance traffic.

<sup>3</sup> The contribution of New York in this type of tenement house legislation is considerable.



the fact that it is rent, not capital value, that is the basis for taxation; and these problems are further exaggerated in that total exemption is granted for non-use, and exemption up to three-quarters of its value for the district rate (half its value for poor rate) for agricultural land, railroads, etc.<sup>1</sup>

An examination of the 'marginal' building lot will illustrate one effect of the system. Shall a house be built? If there are no taxes whatever, it is simply a question of profit. Will some one pay the profit expected? If an increment is imposed upon or added to the rent, the builder (or owner) would insist on approximately the same profit<sup>2</sup> (having alternative uses for his capital); the 'marginal' occupier would decide not to rent, and the house would not be built. Similarly, each *additional* increment (i.e. each rise in the rates) tends to check the demand for *new* buildings, and forces greater crowding in the old—until the point where the objection to crowding becomes so great as to force a greater proportionate part of the individual expenditure for the rent-rate item.<sup>3</sup> To a certain extent this would seem to be compensated by the increase in public services—but these services are rendered in the houses already occupied—and through crowding these, the per capita cost is less. Thus a large part of the evil of overcrowding in England can be attributed to the fact that the English local rate actually becomes a *tax on room space*, and contains the reason for the fact that the population *per*

<sup>1</sup> Cf. *Report, Land Enquiry Committee*, vol. ii, pp. 544 ff., etc. Much of the reasoning that follows is more fully developed in the *Report*. The *Report* is filled with 'illustrations' of many of the contentions advanced here.

<sup>2</sup> The imposition of an additional 'beneficial' rate obviously does not affect the demand for houses as much as the effect of the 'onerous' rate. Yet in each case it must be borne in mind that the particular municipal service 'enjoyed' as the result of the rate increment can usually be taken advantage of by crowding existing premises.

<sup>3</sup> The reasoning at this point assumes the normal situation of an increasing population.

*room* is greater in London or Glasgow than in New York City or Boston.<sup>1</sup> Similar effects may be traced in factories, office buildings, and other permanent improvements. As a consequence, it is evident that the local rate (and each addition thereto) tends to check the growth of the local (or national) wealth in such a way that not only is there less wealth to be taxed,<sup>2</sup> but as a corollary this existing wealth is less able to bear the burden of taxation than if the creation of buildings and improvements had not been penalized. For, finally, it is evident that the evils of overcrowding of room space tend to increase the rates for police, health, poor relief, etc.—which results in an obvious vicious circle of increasing seriousness.

England has attempted mitigating remedies, chief of which have been municipal housing projects and laws against overcrowding. Differences as to their success and that of the American remedies for American evils are quite apparent, and result from the nature of the case. The laws against overcrowding rooms have broken down,<sup>3</sup> not only from the want of houses for the reasons shown above, but also because they are of themselves more difficult to enforce than laws governing construction of buildings. Housing at municipal expense has now passed the stage of even a pretence at economic rent. The 1924-5 plan of the Ministry of Health contemplates a subsidy of £15 per house per annum. In so far as this involves an increased charge upon the rates, it thus exaggerates the evil it is designed to correct, for each rise in rates postpones so much further the time when private enterprise will supply building needs. In so far as it checks a rise in actual rents through competition, the effect on new building is the same. Municipal

<sup>1</sup> Cf. Appendix J.

<sup>2</sup> Cf. table, p. 541.

<sup>3</sup> Cf. *Report, Land Enquiry Committee*, vol. ii, pp. 48 ff., etc. In Great Britain, as in America, building codes must provide for open spaces, etc. Attention here is directed primarily to the differences.

housing must be all or nothing, under present conditions. In so far as the burden falls on the taxpayer, the effects depend upon the source of revenue, but in any case hamper business.

What conclusions are thus far justified? The root of the housing question in both countries is the rating system. Of the two evils—crowding of land and crowding of rooms—the latter is the graver. In addition, crowding of land is more easily controlled; for, purely as an administrative problem, it is easier to regulate the construction of a building than the number of its occupants. Taxing vacant houses tends to add these to the available supply. Finally, the greater financial stringency of British cities is, at least in part, due to the fact that the British local rate checks the increase of local taxable wealth; while the American tax on property (in proportion to the extent that it falls on land) stimulates its increase.

§ 10. *Effect on the land market.* But the financial and housing aspects are only a part of the contrast. In addition, there is a marked effect on the land market.<sup>1</sup> The most casual observation shows that land is constantly changing hands in the United States. The reason for this is quite largely the fact that the taxing system makes land expensive to keep. Profit from land thus comes more largely from its use, and this requires the owner of the entrepreneur type. This does not always coincide with the 'son and heir', and entail becomes an economic impossibility. If the use of the land is not the most profitable, another entrepreneur will tend to offer money enough to induce change of ownership. Even the superficial contrast in the United Kingdom is very great. Changes of ownership in the cities are relatively infrequent, and leases are far more common. In part this

<sup>1</sup> *Report, Land Enquiry Committee*, vol. ii, part ii, gives many instances of the difficulty of land purchase. Seventy-five out of ninety towns reported difficulties (p. 282). pp. 317 ff. deal with the difficulties faced by private individuals or companies.

is owing to the traditional sacredness of land as an heirloom, but the economic factors are the ones that make this possible. Land costs nothing to keep, for unused land is not rated, and used land is rated only upon its actual—not potential—use. In the second place, the entrepreneur is usually the lessee, and he is the one who must compute probable variations in rates. He bears the brunt of failure; and, in the event of his not making the most profitable use permitted, another lessee outbids him. The owner continues to draw the ground rent—which, while it may vary, never can involve a loss or penalty.<sup>1</sup>

Thus the conclusion seems inevitable that the tax on capital value of land insures a land market. By contrast, this has been much curtailed in England in the past on account of the shortage of supply, resulting from the relative absence of pressure to use or to sell.<sup>2</sup> It has often been maintained that a break-up of the landed aristocracy, such as would doubtless result, would be undesirable. This argument draws its strength both from the value put upon a leisure class, and from the strength which ensues from a stable or settled state of affairs. These elements must be weighed over against the disadvantages. This should be noted, however, that the point under consideration does not involve taxing land in rural districts, but only in urban areas—though its successful application to the latter would seem to make an extension to the former inevitable.

For the city itself, the creation of such a land market would go far toward settling a whole group of knotty problems connected with land acquisition for

<sup>1</sup> Except in alternative use for capital—which creates the little market there is. The operation of this factor is minimized in cities, where the unearned increment is so profitable. Heavy death duties, income tax, etc., have also been factors of late which have tended toward the break-up of landed estates.

<sup>2</sup> Cf. *Report, Land Enquiry Committee*, vol. ii, ch. ii, s. ii, for evidences of this in the case of private individuals.

play-grounds, streets, parks, and city projects of all kinds. It is this that explains in part the greater attention paid to parks, etc., in American cities.<sup>1</sup> The cost is not so prohibitive;<sup>2</sup> there are, and need be, no difficulties in the acquisition of land by the city in the open market; and, while taxing land decreases its private use as open spaces in the centre of the city, at the same time it makes more possible public acquisition and use. The question of procedure for compulsory acquisition of land by cities ceases to have significance, if the procedure no longer need be compulsory.<sup>3</sup> Similarly, private undertakings, railroads, manufacturers, etc., will find land acquisition more simple.

Of even greater value is the service such a land market would render in making possible a wider distribution of ownership.<sup>4</sup> However much opinion may differ as to its advisability in the case of land, there can be little doubt that the stimulation of home ownership is desirable. This comes through an increase in the supply of land offered for sale, which in business competition tends to *search out and create its own demand*. The Small Dwellings Acquisition Act, or any similar project, can go no farther than to make home ownership possible.<sup>5</sup> The existence of a genuine land market, through advertising, salesmanship, etc., creates and stimulates the desire for such ownership. To a large extent, the land market

<sup>1</sup> Cf. Appendix K.

<sup>2</sup> Cf. data in *Report of the Land Enquiry Committee*, vol. ii, pp. 273 ff.; also *Report of Land Acquisition Committee of Ministry of Reconstruction* (Cd. 8998, 1918), analyzed in *Athenæum*, April 1918, pp. 183 ff.

<sup>3</sup> Save in the exceptional case where only the piece in question will do.

<sup>4</sup> Howe, *British City*, pp. 312 ff., quotes the familiar figures, one-quarter of the land owned by 1,200, another quarter by 6,200, the remainder by 312,150.

<sup>5</sup> Thus between 1899 and 1907 only twelve local authorities took advantage of the Act and only £52,000 was actually advanced (*Report, Land Enquiry Committee*, vol. ii, p. 214). Ceaseless propaganda is needed in order to stimulate the desire for home ownership.

accounts for the great development of building and loan associations in the United States. On the other hand, in the five years, 1917-1921, only 18,860 dealings in land (outside of London) were registered as to title at the Land Registry.<sup>1</sup>

§ 11. *Effect on town planning (new areas).* The effect of the rating systems on housing and town planning is by no means confined to central congestion. The borders of American cities have been marked by the uncrowded suburbs of home owners, for small people as well as for rich. There has been little or no difficulty as regards 'houses per acre' in these new developments, and as a result this aspect of town planning has been later in its appearance in the United States. The key to the situation is again the land market, and rests ultimately on the rating system which makes possible, through the relatively lower cost of land on the outskirts,<sup>2</sup> a considerable amount of garden space and a land tenure of individual ownership.

On the other hand, save for occasional middle-class suburbs, the cities of the United Kingdom come to an abrupt ending, whence inward are tier on tier of monotonous houses, which seem to justify the title applied by one of their critics to British cities—'the ugliest in the civilized world'.<sup>3</sup> These houses are the economic result of a study by the builder-entrepreneur to get the maximum profit possible under standardized 'model by-laws'.<sup>4</sup> The key lies in the fact that unoccupied land is not rated at all, or if used for agriculture is exempt from three-quarters of its rates. Hence it pays to withhold the land until such time as the builder finds it possible to pay the desired ground rent. The builder, whose ground rent is presumably a static element

<sup>1</sup> *Report, Land Registry Office, 1920-21*, p. 6.    <sup>2</sup> Cf. Appendix R.

<sup>3</sup> F. C. Howe, *British City*.

<sup>4</sup> This is developed in the *Report of the Land Enquiry Committee*, vol. ii, pp. 115 ff.

in his costs, must then crowd the land as much as possible—for there is almost no market among the working classes for a house and a large lot at an 'economic charge', owing to the amount of rate plus rent. The penalty being on the rent, each house is in turn crowded; just as with the builder, the penalty being on the ground rent, each lot is crowded. The incidence in the suburbs is 'withhold, or build to the limit'. A middle ground is not profitable.

The general bearing of the rating system upon town planning of new developments thus seems clear. If there is no tax on the capital value of land, and a restriction is imposed as to the number of houses per acre, still another unfavourable item is introduced which tends to check building through private enterprise—for the demand for houses is fairly elastic, and higher rents must be charged for houses when fewer are built on the same area.<sup>1</sup> With a land tax, this phase of town planning is almost automatically solved.

§ 12. *Effect on annexation.* Attention has been called earlier<sup>2</sup> to the fact that the financial obstacles to annexation were less in the United States than in the United Kingdom. It was suggested that this involved differences in the rating system.

In general, land in the United States pays far higher taxes in the centre of a city than on its borders.<sup>3</sup> This falls wholly on the landowner.<sup>4</sup> Accordingly, in proportion to the cost it involves to the city, land in the centre pays a much greater amount than land on the outskirts. The area which is to be annexed presumably was performing many functions for itself, at a cost per unit of service rendered not very materially different from that of

<sup>1</sup> The diffusion of the effect of by-laws limiting the number of houses per acre is somewhat obscure. Certainly some part would seem to reach the ground landlord through the lessened demand for the land.

<sup>2</sup> p. 507, footnote 2.    <sup>3</sup> Cf. Appendix R.    <sup>4</sup> Cf. Appendix S.

the city.<sup>1</sup> Hence, assuming that the service rendered in these functions after annexation is identical with that performed before, a percentage of this cost would automatically under the American system be shifted from the land in the area annexed to the land in the centre of the annexing city—where it would remain. Thus, other things being equal, an actual reduction of taxes, both as to land and improvements, would follow in the annexed district. If the city performed more services, on the same principle this increase in service rendered would be at less cost than the annexed area could itself perform it. On the other hand, many services cost more with congestion—both per capita and per dollar of assessed valuation. Thus the U.S. cities of Group I show the highest per capita expense, except for fire departments, health, highways, and libraries.<sup>2</sup> Hence these furnish an element which counterbalances the gain resulting from the transfer of part-cost of other services to central land. The two elements probably nearly cancel, so that the financial argument against annexation disappears as a serious objection on the part of the area in question. The new rate is higher or lower than the old only if more or less service is rendered.<sup>3</sup>

But the case is otherwise under the British system. Land, as land, pays no tax either in the centre or the outskirts. In a growing city the rates fall largely upon occupancy, which varies much less in its costs—particularly in houses of ratepayers—with the location.<sup>4</sup> In so far as congestion and greater population involve

<sup>1</sup> The protective services in so far as they are made necessary by congested population would probably cost somewhat more in the city. Education and public works would probably be less expensive.

<sup>2</sup> *Financial Statistics of Cities*, 1918, p. 85. Cf. also Appendix D, and p. 301 f.

<sup>3</sup> Cf. footnote 2, p. 507.

<sup>4</sup> Cf. *Report, Land Enquiry Committee*, vol. ii, p. 120. London rents averaged as follows: (three rooms) inner zone, 6s. 6d.–10s.; middle zone, 5s. 6d.–8s.; outer zone, 5s.–8s.



more cost per unit of population or of capital value, this additional cost falls upon the rates. Hence the rates of a large city are almost invariably larger than those of the area to be annexed, even though the services rendered are no greater.<sup>1</sup> There is the assurance that by annexation rates will rise almost to the extent that the borough rate is higher than the district rate.<sup>2</sup> This is the heart both of the necessity and of the justice of 'purchasing territory' under the existing conditions, but the process increases the burden upon the occupiers in the city itself.

It appears, then, that the financial obstacle to annexation is much less present where the cities possess a tax on the capital value of land. It is also clear that the burden placed upon the occupants of a city in purchasing territory could thus be eliminated, and at the same time the opposition to annexation could be lessened. The case of the land-owners will be considered later.

§ 13. *Taxation according to 'benefit received'.* Before proceeding to any final conclusions with regard to the two rating systems, it is necessary to have clearly in mind the degree to which each satisfies certain of the major canons of taxation proposed by students of public finance.

One of these is that taxation should be in accord with *benefit received*. Much of the controversy between the two systems centres around the problem of the 'unearned increment'. Certain facts are well known and admitted by both sides in the dispute. The more radical point to the fact that the very growth of the city increases the value of its land. Whether, or to what extent, this justifies taxation is a centre of great controversy. This will be waived for the present, and attention centred on

<sup>1</sup> Cf. pp. 387, 505.

<sup>2</sup> Annexation without concessions ordinarily should tend to reduce the rates somewhat in the larger city, to the extent that the congestion in the annexed area is less than the average, and to the extent that there are economies in 'mass production'; but it increases them so far as it increases 'overhead', etc.

the further fact that there is a large class of improvements at city expense which enhance the value of the land. A distinction between an onerous and a beneficial rate has been drawn quite largely with this in mind—though applied to all rateable property.<sup>1</sup>

In the United States such a distinction has never been drawn. Property as a whole, including land, would shrink in value if there were no free schools or police,<sup>2</sup> though perhaps not to the extent to which its value would be lessened were there no streets, sewerage, etc. Hence it is evident that property in general, including land, is benefited by most city services, and it is fair to take back a portion of this benefit on the basis of benefit received.

In the United Kingdom the question seems more debatable. The occupier certainly benefits and should pay. Does the owner also benefit? It would seem so ultimately, as in the United States, for, though matters are greatly complicated by conditions of leasehold, etc., he enjoys reversionary rights. Does he pay toward these benefits? It is argued that he would receive a greater ground rent if there were no onerous rates—and at least in the case of poor relief this seems unquestionably so. The alternative in mind here is not that these services would be curtailed, but that their cost would be borne centrally. On the other hand, the rent which he can receive certainly rises with the provision of beneficial services, and he is also the legatee of improvements. Hence it is only fair, if the canon of 'benefit received' be applied, that he should restore at least a part of the unearned increment, in so far as it results from expenditures from rates.

The conclusion as to the canon of 'benefit received' seems to be that there is little to choose between the two systems. A land tax in *addition* to the rate can be at least partially justified under this canon as taking back so much more of the increment added to the land's value

<sup>1</sup> Cf. p. 400 f.      <sup>2</sup> Poor relief, however, is purely 'onerous'.

by the city's expenses, and need not rest upon the more controversial aspect of the city's physical growth.

§ 14. *Taxation on the basis of 'ability to pay'.* A second canon often applied is the principle that taxation should be in accord with *ability to pay*. This test is based on the incomes of the persons on whom the ultimate incidence falls.<sup>1</sup> There are different criteria offered as to what constitutes ability to pay; but, in general, it may be observed that the 'fixed percentage' has given way to the 'progressive' income tax, due to the strength of reasoning based on the theory of marginal utility. On the other hand, it is unfair to consider 'ability to pay' as applied to a single tax, or to the group of taxes of a single taxing body. The question must be considered in the light of the public finance of other taxes and other taxing bodies.

This canon as applied to the system as nominally in force in most American cities—i.e. taxation of all property, real and personal, at the same rate—tends to approximate the 'fixed percentage' criterion of ability to pay. The tacit gross under-assessment of personal property invalidates this as a single tax; but in conjunction with the state and the national income taxes, there is a rough approximation to justice under the 'progressive' criterion. Yet the part of the tax that falls on houses is regressive, taking a larger percentage of the income of the poor than of the rich. It is justified by 'service rendered'. The part of the tax that falls on land cannot be shifted; and, being a tax on capital value, tends to enter into the capitalization of the land. Changes of the rate may be revealed in the case of transfers of ownership. An increase in the land tax does not

<sup>1</sup> A claim has been made that the incidence of rating is peculiarly grievous to certain classes, such as doctors, storekeepers, etc., who must maintain expensive offices or premises. The question is not so simple, inasmuch as much of such an 'occupation' tax is passed on to the consumer—either through direct additions to a price or limitation of the numbers entering the particular occupation.

satisfy the canon of 'ability to pay' as measured by the owner's income.

In the United Kingdom the local rating system of itself is regressive, taking a far larger percentage of the income of the poor than of the rich.<sup>1</sup> Hence, standing alone, it does not satisfy the canon in question. Considered as a part of the Imperial system, it comes nearer to satisfying the 'progressive' criterion. Incidentally a large part of the Imperial revenue is returned to the city in the form of grants-in-aid.

The conclusion after comparing the two systems is that, so far as the local revenue only is considered, the United Kingdom system is more regressive than that of the United States, to the extent that the latter taxes personal property, and also—to a considerable degree—to the extent that the latter taxes land. Hence it is still farther from satisfying the canon of 'ability to pay' than is the American system.

Theoretically the system of the United States is more regressive than that of the United Kingdom to the extent of part of the greater reliance of the latter on the grant-in-aid. But this is not raised locally, and hence does not greatly affect the attitude of the local electorate toward the city revenue. In addition to these matters, the tax on land is a greater percentage of the whole city revenue than is the grant-in-aid in the United Kingdom;<sup>2</sup> and finally, any form of local taxation in the United States is more in accord with ability to pay than a similar form in the United Kingdom, due to the higher standard of living.

§ 15. *Ease of raising money.* A third canon to be applied is the principle that taxation should be imposed

<sup>1</sup> Belfast, however, has a unique system of graduated rating. Hereditaments with annual values under £20 pay only half the police rate (*Report on Local Taxation (Ireland)* (Cd. 1068, 1902), p. 8 f.). In 1922-3 this amounted to 2s. 2d. out of a total of 12s. 2d. The amelioration was 1s. 1d. (*Belfast Year Book*, 1922-3, p. 82 f.).

<sup>2</sup> Cf. Appendix I, and pp. 405 f., etc.

where it can raise the most money with the least amount of trouble. A minor phase of this is the so-called 'balance-wheel' canon, which emphasizes the need for flexible sources of revenue. Other things being equal, the more grossly regressive character of the British tax would hinder its productivity. But there are other factors.

In the United States the amount of the tax, so far as it is imposed on land, cannot be shifted and can be collected. It represents almost wholly an *additional* source of local revenue, which the British cities do not possess. The history of the American cities has revealed relatively little hampering of their functional development through financial exigencies. In so far as the greater wealth, which in part accounts for this, has arisen (as has been suggested) from the stimulus furnished by the tax itself, the tax is not only productive—it is *reproductive*.

In the United Kingdom the history of city government has been a history of functional development greatly hampered through financial stringency. The local rates, being wholly regressive (unlike the American system), are felt keenly, and a large part of the 'benefit' goes to add to a great, locally untouched field of taxable income—urban land. The British local revenue system is not productive or flexible to the extent needed by its functional development. Out of this situation has come the necessity for grants-in-aid. Otherwise local burdens would have been so great as effectively to check the attainment of the national interest. This is the heart both of the central and of the local case for the grant-in-aid or subvention.

Comparing the two countries under the canon of 'productivity', the superior merit of the American system is apparent. It has made possible a locally supported expansion of functions commensurate with national welfare as well as local needs. At the same time it has stimulated the creation of enough additional wealth to

lessen the apparent burdens involved. The British system has been stunting, and has forced national subventions to satisfy local and national needs. At the same time, it has penalized creation of additional wealth, thereby intensifying its own burden. The per capita capital value of the real property in the poorest American city (New Orleans) is more than the per capita capital value of the wealthiest English city. The average is about three times as great.

Estimated Real Value	Assessed Value (Int. at 5%)	Capital Value
New Orleans \$1,011	Walsall £3 0 0 (× 20)	£60 (\$280)
N.Y. City \$1,511	London £10 1 0 „	£201 (\$900)
Akron \$2,461	Bournemouth £9 2 0 „	£182 (\$819)
Average \$1,408	Av. (County-boroughs) £5 1 0 „	£101 (\$455) <sup>1</sup>

§ 16. *Taxation according to 'social benefit'.* There is at least one further canon to be employed. Taxation should be in accord with the maximum of *social benefit*. In one sense this embraces all the others. Certain aspects have already been advanced in the discussion of the effects of the rating system on housing, town planning, the land market, and annexation.<sup>2</sup> The relation of this canon to taxation for the sake of 'distribution' is perhaps implied under the canon of 'ability to pay'. There remain two or three other aspects which are suggested by a comparison of the two systems.

The first of these concerns the psychology of the electorate. In the United States the electorate can afford to take a large-hearted social point of view in its determination of city affairs. Rent somewhat disguises the incidence of the tax on houses by creating at times a naïve fiction (not wholly desirable) that the owner pays; but this is not all. Land pays a large amount, which

<sup>1</sup> Data are from *Local Taxation Returns*, 1919-20, Part II, pp. 11, 59, 61, and *Financial Statistics of Cities*, 1918, pp. 322 ff. The American figures include 'personal property'; but, as the exemptions are far in excess of the British, it is probable that the two figures furnish a reasonably fair basis of comparison.

<sup>2</sup> Cf. pp. 525 ff.

none but the landowner feels. Home ownership is frequent enough to act as an enlightening influence. The effect has already been noted in the response of the American city to the wave of altruism, and in its lavish expenditure on matters such as education.<sup>1</sup> All this means an electorate with a point of view wider than of material things—a factor whose value to a nation can scarcely be exaggerated.

In contrast, the 'ratepayers' psychology' has become notorious in Great Britain. In spite of the partial obscurity in which the process of compounding has wrapped them, the rates are too palpably regressive for the average citizen to dare support large measures of social welfare. The converse of this, the narrowness which conceives of expenditure for education as onerous,<sup>2</sup> which blindly opposes any and all increases in the rates—however much the incidence of the rating system may justify this view—cannot but have a social effect which blasts something of the finer side of human nature.<sup>3</sup> The expression of this finer side has been more possible in America.

It is largely this psychology in England that has resulted in restricting the term 'beneficial' to benefits to property; while the ratepayer has been taught to consider 'onerous' any expenditure benefiting the person. Hence the recent shift in attitude toward public health expenditure, from local self-reliance to a demand for subsidy. The newer health functions primarily benefit persons.

The relation of the rating system to poverty is less obvious.<sup>4</sup> Attention has been called to the very large part played in the difference in poverty between the two

<sup>1</sup> Cf. pp. 297-309.

<sup>2</sup> This tendency is exaggerated through the non-use of council elementary schools by the upper middle class.

<sup>3</sup> Further effects of the practice of reliance upon central aid will be considered later (pp. 587-592).

<sup>4</sup> Cf. pp. 461, 541.

countries by the factors that are controllable, in distinction from those which are not controllable—such as greater natural resources. The differing systems of local revenue appear as one of the controllable factors. Most of the reasons for this have already been suggested, but they will bear repetition in summarized form.

The United States rating system stimulates the creation of additional wealth by penalizing its non-use—chiefly in the case of land. This means that so much more wealth is added to the sum total to be diffused according to the underlying laws of value—which, under the competitive system, tends to raise the general standard of living. The United Kingdom rating system checks the creation of additional wealth by taxing use (particularly land) while exempting non-use. It penalizes improvements, and by so much lessens the sum total of wealth in economic distribution.<sup>1</sup> This makes the standard of living lower than if the tax were not so imposed. The American tax is reproductive; the British tax is stunting. It has been shown that the United States system stimulates home ownership, and that the United Kingdom system makes it difficult. This last factor accounts in part for the relative absence of hope and of ambition to rise, which are material elements in the lower productivity of British labour and the consequent lower real wage.<sup>2</sup> The effects of crowded housing (with resultant disease, etc.), so far as these concern poverty, tend to be worse in the United Kingdom; for crowded rooms are greater evils than high buildings. To summarize these three factors in poverty, it will be seen that—though far from involving the whole reason for greater poverty in the United Kingdom—yet in so far as they tend toward less efficient utilization of resources and men, they are

<sup>1</sup> Cf. *Report, Land Enquiry Committee*, vol. ii, pp. 85 f., 512 ff.

<sup>2</sup> The *Ministry of Labour Gazette* (March 1924), p. 107, gives the American index figure of real wages at 217 and the British at 100 on March 1, 1923.



by no means negligible as factors. All of them are to a considerable extent the outgrowth of the rating system.

§ 17. *Summary of incidence.* It is now possible to summarize the chief elements in the two rating systems that lend themselves to comparison. The United States has evolved a plan whereby real property can be taxed on its capital value, land as well as houses being capable of assessment. The collection of taxes can be enforced by the appropriate sanction of the forced sale. The results of the plan are more drastic if land is taxed at a higher rate than improvements. However, the tax on the capital value of improvements does tend to minimize the number of vacant houses. Over a period of years, the tax is added to the rent, if the town is growing. The part of the tax imposed on land tends to force its use in a way most profitable to the owner. This is a stimulus to the creation of more wealth. However, it tends to crowd the land and to increase the height of buildings in the central districts, thus furnishing a problem of control. Otherwise, in normal times, it permits the housing question to be left to private enterprise. In so far as more wealth is thereby created, it lightens its own burden.

Through the creation of a property market, this tax makes land acquisition easy for parks or other city projects, and for individual ownership. It prevents the growth of a permanent landed class. It simplifies town planning in newly developed areas, by making it economic not to congest. It aids in removing what would otherwise be the great barrier of higher taxation, in the process of annexing suburban areas. It secures a part of the 'unearned increment' resulting from improvements at city expense. It does not necessarily coincide with ability to pay. It cannot be shifted, and provides a large and flexible amount of money. It permits the functions of the city to assume a 'welfare' aspect, and does little to restrict the social outlook of the voter. As the result

of the above, it actually tends directly to lessen many of the problems of the city, such as poverty, housing, parks, town planning. It permits civic self-reliance in financing enterprises. *In so far as it stimulates the creation of more wealth, it tends to lessen the poverty which part of its proceeds are used to ameliorate.*

By way of contrast and comparison, the United Kingdom has evolved a plan which presents no insurmountable difficulties in assessment. The plan necessitates a liberal commission, through the device of compounding, to induce payment. It often puts a premium on non-use of land, and does not penalize non-use of houses. It is at the root of the housing shortage. Every increase of rates will tend in the direction of greater overcrowding; for a rate is a tax on room space. It thus checks the creation of additional wealth. It is hence at the root of the chronic financial stringency of the British cities.

The British rating system complicates the problem of land acquisition, both for the city and the individual, by limiting the land market. However, it permits such individuals as are public spirited to keep their land open and available for public use, while retaining ownership. It is the bulwark of the permanent landed aristocracy. It is responsible for the hideous, crowded monotony of the working-class district, and for the congestion even in the suburbs. It thus complicates the problem of town planning; which, if successful in preventing overcrowding in the planned area, probably thereby forces it more acutely in other sections, by adding an economic differential against building by private enterprise. It makes necessary the costly process of 'purchase' of territory, and is the chief factor in holding up many much-needed annexations. It does not reach the 'benefit received' by the landowner in proportion to the value added to his land by city improvements. It is grossly regressive. It is so burdensome that it has greatly hampered functional development of cities, and has introduced a

contradiction between local and national interests. Thus it has forced local reliance on central aid. It is responsible for the 'ratepayers' psychology', and the lack of a broad concept of the city as a generous social instrument. *It aids in the creation of the poverty whose effects it seeks to mitigate.* Each increase in the local expenditure designed to remedy the intolerable conditions of the slums, is so much additional pressure for the continuance of the same slums.

§ 18. *Recommendations.* In the light of this comparison, what changes can be recommended in the two local revenue systems? The cities of the United States should abandon their attempt to tax personal property, or at least should tax it at a rate low enough to make its assessment practicable. Where the state or county also uses the property tax, an arrangement could be effected whereby the tax on real property becomes wholly a city affair. In return, personal property might be made a subject exclusively for county or state revenue. The state could develop this source chiefly through the income tax, inheritance tax, corporation tax, etc. (where much of the revenue comes from personal property); and would then be in a position to relieve the county of much of the cost of the judiciary, roads, charities, and corrections. If the loss to the city through this arrangement is too heavy, a limited subvention might be granted.<sup>1</sup> Those cities which do not already do so, should assess land at a higher rate than improvements. However, the latter should not be exempt, for such exemption would mean that the average voter would have no financial responsibility or interest in city affairs—for the land tax is not shifted. The building codes must be strengthened where weak in combating the evils peculiar to taxing land, in order to induce its 'best' use. The cities must expect to provide parks and playgrounds for the central

<sup>1</sup> Cf. p. 598 f., for principles which should govern subventions. A 'sales tax' is also a possible source of local revenue.

districts—much of the cost of which can be recovered if special assessment or excess condemnation be permitted.<sup>1</sup>

The United Kingdom should first revise its canons of local taxation to include taxation for *social benefit*. Unless this is done, the following recommendations will carry little weight.

A tax on the capital value of urban land should be made available as a source of revenue for the city authorities. The ideal is ultimately to make this tax controlled and variable by local ordinance, but it would probably be advisable at first to set a maximum by Act of Parliament. Experience alone can guide as to what that maximum should be. It is doubtless expedient initially that it should be rather low,<sup>2</sup> and there are many advantages in a plan whereby this maximum (while starting low) should be gradually raised. Such a tax permits two flexible sources of local revenue in place of the one previously used. The new source would ultimately prove the more flexible. If such an additional tax is imposed, benefits (and the contrary) similar to those noted in the United States should appear in the course of a short time—to an extent determined by the size of the tax.

There have been a number of objections raised to such a tax, some of them peculiar to England. Thus it is urged that the peculiar conditions of land tenure make assessment difficult or impossible.<sup>3</sup> Undoubtedly such a difficulty is greater than where the land tenure is more simple. It should be observed that one of the probable effects of such a tax would be an actual simplification of the land tenure itself.<sup>4</sup> Taxing the capital

<sup>1</sup> Cf. Cushman, *Excess Condemnation*, for the standard work on the subject.

<sup>2</sup> Cf. Appendix U.

<sup>3</sup> This difficulty is considered somewhat in detail in Appendix U.

<sup>4</sup> Through penalizing non-use or use not up to the maximum, the tendency is to force the ground landlord (unless he also be a builder, etc.) to throw his land on the market.

value of the ground rent upon the owner is not as difficult as (and does not involve) a separation of the part of the existing rate resting on land from that resting on improvements—which separation has been at the centre of most of the plans thus far presented.<sup>1</sup> As to its impossibility of assessment there is a presumption in its favour, inasmuch as it is in successful operation in the United States. Land let upon a long term lease could be assessed at the capital value of the existing annual income, plus the present worth of the excess of reversionary value over the capital value of the existing annual income.

Such a tax has been accused of disappointing 'reasonable expectation of income' (and this is a legitimate charge). So, for that matter, does any additional tax, and the question narrows down to whether the income of the ground landlord should enjoy priority in exemption from such 'disappointment'. Money must come from somebody, and the introduction of the new tax would have the effect of preventing a corresponding rise in the ordinary rates of income tax—or of lessening a rise which took place earlier, if used for alternative rather than additional revenue. Other things being equal, it would seem as though an income (though 'expected') which is created in a large measure by the expenditure of the city, is a fair object for taxation for a part of that expenditure.

It is further urged, in part as an outgrowth of the last argument, that such a tax is confiscatory and attacks the 'right of private property'.<sup>2</sup> Undoubtedly there is a great element of stability in the security which property (and landed property in particular) enjoys in England. One need not enter into the debatable point of the unrest caused thereby. It is at just this point, however, that one should introduce as a counter-weight under the implied canon of 'taxation for social benefit', the various

<sup>1</sup> e.g. *The Separate Report of the Royal Commission on Local Taxation*. Cf. p. 399.

<sup>2</sup> In that it is levied on only one form of property.

consequences of this kind of tax in America. Are they not enough to counterbalance such an attack upon security? In addition, if private property is used for creation of wealth, may not the 'right' of private property itself ultimately be more secure, than if it is withheld from use and assumes contradiction of the general good? Some part at least of the wealth would be transferred through taxation, and more of it would be diffused through greater national resources. Even the right of private property can ultimately be defended only on the ground of social benefit.

Finally, it is argued that the source of funds thereby provided would stimulate irresponsible expenditure. It should be noted, however—for reasons to appear later—that the full plan contemplates the substitution of the tax largely for the grants-in-aid,<sup>1</sup> and only secondarily for a reduction of the ordinary rates. In any event, the revenue from such a land tax would be merged in the general revenue of the city. Parliament presumably would set a maximum rate of the land tax beyond which the city could not go, but up to which it probably would go. Therefore, all increases would either fall on the rates or would be met by increases in the total assessable value of land. Hence, the ratepayers' watchfulness, while doubtless diminished in the interest of expenditure for further activities, would be but little lessened with reference to economical management of all expenditure. This latter interest would increase as the number of property owners grew, owing to the land market created.<sup>2</sup>

As an hopeful alternative to a fixed maximum, a maximum variable with corresponding changes in rates might be suggested—in other words, a statutory relationship between the local rate in the £ and the percentage

<sup>1</sup> Cf. p. 600.

<sup>2</sup> The irresponsibility of the electorate would be at its maximum at the inception of the tax. This furnishes a strong argument for Parliament to fix a 'sliding' maximum. Cf. Appendix U.

of the land tax, in order to emphasize the need for economy on the part of the ratepayers.

The Separate (Balfour) Report of the Royal Commission of 1901 and the Report of the Land Enquiry Committee of 1914 both advocated a transfer of the rating basis to 'site value'. The Balfour Report seems largely to have missed the point involved in a proposal to tax land on its *potential* use. In the case of the Committee there was also a proposal for the total exemption of improvements. Such a step would seem to contain grave risk of undermining the responsibility of the electors for insisting upon economy in municipal affairs.<sup>1</sup> Hence the second recommendation is to keep the present rating system also. It enforces a general interest in city government (even if a narrow interest) which would be lacking if the land tax were the sole source of revenue. If in some future time, as the result of the land tax, England changes from a renting to a home-owning basis, it would then be time enough to consider a change to a complete real property tax such as the United States has. Meanwhile, the rating of unoccupied houses upon the immediate lessor, or a small invariable house tax, would penalize their non-use.

It has been noted that the rating system has been at the root of local demands for central aid, and gives some colour at least to the alleged need for central stimulus and guidance—particularly in so-called 'onerous' matters. If an additional productive source of local revenue, such as the land tax, were made available to local authorities, it would place the whole question of the central subventions in a new light. Should they be kept; and, if so, in what form? In view of the greater amount of local revenue that would be available, *they need not be kept on the ground of the needs of local finance.*

<sup>1</sup> The famous attempt under the Finance Act, 1909, to tax 'unearned increment' failed because the basis of assessment was the increment, not the capital value.

## CENTRAL SUBVENTIONS

§ 19. *Assigned revenues.* The subvention, or grant-in-aid, has during all recent times made up a larger part of the revenue of English cities than of American.<sup>1</sup> Its history has been traced in both countries, but a further explanation of the divergence may now be suggested. This is found in the greater relative ability of American cities to finance their own undertakings; as well as in the aspects previously stressed, namely, the desire of the British Government for central control, and local unwillingness to bear any new burden.

The alternative forms which the grant may take depend upon whether it is also intended to be used as an agent for securing the central will. Assigned revenues or block grants have not always meant supervision,<sup>2</sup> but certain factors make any other type of use limited. If there is no central supervision, it is evident that at some point or at some given percentage of the local revenue (like a land tax, before land ownership becomes common) irresponsibility becomes serious.<sup>3</sup> Such a subvention carries with it no commensurate check from the local electorate upon the spending. In addition, it bears no relation to service rendered, for there is no necessary connection between the source of revenue of the Exchequer and the city services. These facts point to the field of its use being distinctly limited.

Subventions may, however, make more equitable the source of local revenue, if based on 'ability to pay', in so far as they mitigate the regressive character of the latter. Hence this fact points to its logical, though limited, use for equalization of burdens between sections of the country. The necessity for some such agent has appeared in both countries—usually, though not always,

<sup>1</sup> Cf. pp. 325, 405 f.

<sup>2</sup> e.g. pp. 104, 220.

<sup>3</sup> Cf. the irresponsibility resulting from the Metropolitan Common Poor Fund (*supra*, p. 203).



in connection with the rural districts.<sup>1</sup> Its use must be limited, or it will invite irresponsibility; but it may be used on occasion within this limited field.

Thus the uncontrolled subvention is far from being an acceptable substitute for the property tax on land; for the latter, by contrast, not only is locally variable, thus tending more toward responsibility, but also is more flexible and more nearly in accord with service rendered. When the social benefits of the land tax are also thrown into the scale, it becomes even more the logical course. Finally, it is doubtful whether Parliament would tolerate any considerable use of the block grant, if divorced from central as well as from local control.

§ 20. *Implications of the grant-in-aid.* Hence the real alternative to the local land tax is the grant-in-aid with central control accompanying.<sup>2</sup> It has been so used in England. When the amount is large, such control is defensible to secure responsibility.<sup>3</sup>

Therefore, the *existing rating system* in England makes almost imperative *central aid*. *Central aid has meant central control*. Thus the important question remains as to the desirability of this central control. If the control is valuable and the grant-in-aid is the best method, then the grant-in-aid should remain. In this case there may be danger in opening up an attractive alternative source of revenue, in so far as this would encourage the cities to efforts to rid themselves of central supervision. As to whether the good (if good there be) from the control outweighs the evil from the rating system, then becomes a question of balance of values or of political casuistry. If, however, the control seems neutral in its effects, or

<sup>1</sup> pp. 104, 404 ff. Other evils appear with its use within a city.

<sup>2</sup> A local 'sales tax' as an alternative suffers the defect of being badly regressive.

<sup>3</sup> If, however, the central grant is constant in amount, variations are then thrown on the rates, and local responsibility is probably better maintained than under the 'percentage grants'.

actually harmful (or needful owing solely to the problems of the existing revenue system, which would automatically be solved following an imposition of the land tax), then *reform of local taxation is clearly needed and desirable in the directions indicated.*

It is to the question of central control that one must now turn.

## XI

# THE RELATIONS OF CENTRAL AND CITY GOVERNMENTS

*The relations of the city with the central government involve an adjustment between local self-government and the national interest—British city government is quite highly centralized ; while American cities are substantially autonomous—Parliament and the legislatures either have neglected the localities or have sacrificed the localities for national or partisan ends—A central department possessed of sanctions is less able to render service than is a purely advisory department—In general, the cities which have been the freest, have also been the best governed—This is largely owing to the stimulus which home rule gives to popular civic interest—Civic self-reliance follows freedom and adequate local revenue—This best serves the national as well as the local interest—The degree of freedom must depend upon the stage of local education—The 'national minimum' is an illusion, which ultimately defeats its own end—Great Britain should substitute the local land tax for the central subvention, and set her cities free.*

### INTRODUCTORY

§ 1. *Relation to finance.* In the United Kingdom the two questions—finance and central control—are interlocked through the medium of the grant-in-aid. Broadly speaking, the localities have needed money and have sought it from the central government. The latter have granted the relief in exchange for supervision. The control so secured has been defended, on the one hand, as the corollary of the central financial aid; and on the other hand, as itself desirable. The existence of a possible and apparently sound alternative source of local

revenue permits the consideration of central control on its own merits—that is, divorced from its financial aspect.

§ 2. *The philosophic factors.* The importance of the question can best be understood when it is appreciated that it represents a search for an adjustment between two spiritual elements of great value. On the one hand is the Nordic heritage of local self-government; while on the other is the new nationalism, expressing itself in popular interest extending to the state, nation, or empire. This second element is scarcely less a factor in the United States, in spite of the dual allegiance of its citizens. Perhaps the supreme problem of internal politics is to establish the proper sphere of operation of each of these forces; or, rather, the broad lines of the solution that shall set each in its proper relation to the other. The evidence on this question must have regard for both of these forces—good government for the locality, as well as the national interest. If, however, one of the two must yield at a point of conflict, it seems inevitable that the local must give way to the national.

§ 3. *Method of consideration.* The plan of examination here adopted,<sup>1</sup> contemplates first a general *résumé* of the extent and character of recent centralization in the two countries, in order to appreciate the greatness of the contrast. This will be followed by a brief analysis of the chief types of centralization (legislative, quasi-legislative, administrative, quasi-judicial, judicial) in order to frame a purely tentative conclusion as to the relative merits of the policies of the two countries. This will serve as a basis for the application of certain other tests, to shed light upon the joint results of the two chief types in which centralization is in dispute—legislative and administrative. This should enable a concrete judgment upon the *a priori* arguments on both sides of the general

<sup>1</sup> Of necessity there is a considerable amount of repetition of historical material throughout this chapter. The subject is of such outstanding importance that it seems best to recapitulate fully.

question. It should then be possible to frame a preliminary conclusion as to the type of central-local relationship most desirable. This preliminary conclusion will then be further examined in order to consider possible modifications in the light of differing conditions, such as devolution, finance, size of city, etc. The results of the entire analysis can then be summarized, and applied to existing conditions in both countries.

#### EXTENT AND CHARACTER OF CENTRALIZATION

§ 4. *Local powers.* Even the most cursory examination of conditions<sup>1</sup> in the two countries reveals how clearly marked are the contrasts in this critical problem. It shows that the two countries, whether deliberately or otherwise, have adopted policies of so great divergence, that it should be possible to test the results comparatively, and form a conclusion as to which has been more nearly correct.

The cities of the United States are now relatively free in their powers of charter-making, due to the waning legislative interference and the growth of constitutional home rule. The cities of the United Kingdom are governed in accordance with a uniform, centrally prescribed framework, whose uniformity is tempered by private bills or by provisional orders—also under parliamentary control. With regard to the prescription of duties, the 'minimum' is not felt in American cities, but is a very real factor in Great Britain in forcing the undertaking of more services than the cities (particularly the smaller ones) would voluntarily perform. Save in the instances of municipal trading and of fiscal policy, there is virtually no maximum set to the powers of American cities. The variations in the state constitutions in the matter of home rule and legislative prescription tend to be apparent rather than real, since there is

<sup>1</sup> Cf. Appendix L, for details. pp. 406-418, 316-323 above, are also useful at this point.

little disposition to restrain a city in the modern development as an instrument for social welfare.<sup>1</sup> In Great Britain the difficulty of obtaining private bills to render more flexible the powers granted under centrally made laws, the difficulties in the way of land acquisition and the lack of discretion in fiscal policy, the central departmental control over virtually all new projects, are some of the elements which provide a very keenly felt maximum to the powers of the progressive cities.

A simultaneous consideration of the maximum and the minimum furnishes the real basis for judging how far a city has a *margin of discretion* in determination of functional policy. In the United States discretion is well-nigh unlimited in practical operation—even more so than the statute book would indicate. This is owing to the recent attitude of free compliance with local requests evidenced by legislatures where there is not constitutional home rule, and is also owing to the legal basis of delegation of all save reserved powers in certain of the home rule states.<sup>2</sup> The margin of discretion of the British cities is narrow by comparison; and recent history has shown it to be growing narrower in practice, as the national minimum has been steadily raised, as the powers of central departments to guide or restrain have steadily increased, and as the grant-in-aid has tended to dominate much of local policy.<sup>3</sup>

§ 5. *Central boards.* The central boards in the United States—national and state alike—are most prominent and powerful in their strictly advisory aspect. The volition remains local, but the localities have quite consistently appeared ready to make use of any superiority of central knowledge.<sup>4</sup> On the other hand, the central

<sup>1</sup> Cf. pp. 303-309.

<sup>2</sup> Cf. p. 429.

<sup>3</sup> pp. 344, 348 ff., etc.; also Appendix T.

<sup>4</sup> pp. 93 ff., 320 f., etc.; cf. also, article by W. A. Robson, Edit. of *Local Government News*, quoted in *National Municipal Review*, April 1924, p. 188: 'One of the most striking features . . . is the extraordinary attention which is given to municipal research. . . .'

boards in the United Kingdom exercise an amount of supervision and control which has no parallel in the United States. Their duties are to stimulate, restrain, approve; and when these duties are combined, it is evident that a situation is created in which the central departments are expected largely to direct the activities of the localities.

The United States has been notorious for its inaccurate thinking, and its failure to demarcate between local functions and those performed by the locality for the central government. The fact that there has been little or no distinction, tempted state legislative interference in the past; but it did allow cities to keep administrative freedom in functions in which English cities tacitly accept control on the ground that these functions are performed for the central government. The United Kingdom has steadily added to this class of functions. The line between functions of local and of central interest has been constantly shifted, but at least there has been an attempt to draw a line somewhere. Yet the control exercised by the central departments has by no means coincided with the functions so classified, and has often been extended to functions considered purely local.<sup>1</sup>

To summarize :

It is apparent that the United States exemplifies decentralization of power, tempered by centralization of advice. By contrast the cities of the United Kingdom are marked by a large measure of centralization in detail as well as in policy.<sup>2</sup> The control may be summarized in the statement that England has sought to deny her cities the right which American cities are granted—to *make mistakes*. Hence there is a clear difference, which should leave contrasting phenomena. One must try to

<sup>1</sup> Particularly in its control over loans. Cf. p. 519.

<sup>2</sup> Examples are the details of teachers' salaries under the 'Burnham Scale' (Cf. Cd. 268, 1919, etc., etc.); detailed examination of town planning schemes; etc. Cf. pp. 409 ff., etc.

analyze, and as far as possible to test, the various types of centralization, in order tentatively to determine the merits of each.

#### ANALYSIS OF THE TYPES OF CENTRALIZATION

§ 6. *Legislative—determination of framework and powers.* An accurate classification of the types of centralization is difficult, if not impossible. Such a classification is perhaps unnecessary, inasmuch as certain broad groups are well recognized. These are, respectively: the legislative or parliamentary, the quasi-legislative, the administrative, and the quasi-judicial—all departmental; and the judicial, which is the province of the courts.

#### TYPES OF CENTRALIZATION

Legislative		<i>United Kingdom</i> Parliament	<i>United States</i> Congress, State Legislatures
Quasi-legislative	} Departmental	{ Ministry of Health, Board of Education, Home Office, etc.	State Boards
Administrative			
Quasi-judicial			
Judicial		Courts	Federal and State Courts

The central legislative (or parliamentary) control falls into two fairly distinct classes—determination of city framework, and determination of powers and duties. The apparent inadvisability of central determination of local framework has already been considered,<sup>1</sup> but the matter of functions seems to introduce other factors which bear more directly on the national interest.

In the United Kingdom, powers in advance of the general powers (the great field of experimental activity) are granted through the procedure of private bills.<sup>2</sup> The deeper effects of the handicap thus imposed upon local initiative cannot be disassociated in a measurable manner from the effects of administrative control. Hence they must be left for joint consideration later.<sup>3</sup>

<sup>1</sup> pp. 499-505.  
G.C.G.'11

<sup>2</sup> Cf. Appendix V.  
s

<sup>3</sup> Cf. pp. 580 ff.



In the American cities enjoying the widest measure of home rule,<sup>1</sup> all save reserved or conflicting powers are delegated. In effect, this is a removal of the maximum set by law to civic effort.

The cost of private bills is no inconsiderable item in arriving at a balance between the two methods. This item does not appear in the budget of the 'home rule' city, except in so far as it may involve projects outside the city limits. In England and Wales, expenses out of current revenue for 'Legal and Parliamentary Proceedings' totalled £276,064 in 1899-00 and £252,283 in 1909-10.<sup>2</sup> A large part of this was for private bills, which under the American system would have cost little or nothing. The total amount in the seven years, 1891-8, spent in promoting and opposing private bills and provisional orders came to a total of £1,094,000,<sup>3</sup> of which £769,000 was for promotion and £325,000 for opposition. It is apparent that delegation of all save reserved powers must result in considerable saving of time and money for the localities, and of time for Parliament and the departments.

One further test is the test of experimental value. In the United States the field for this is virtually unrestricted. How valuable are the results<sup>4</sup> for other cities and for the state governments can be appreciated by England from the instances where powers, obtained by progressive cities through the medium of private bills, have been the basis for general legislation.<sup>5</sup> The field for local experiment would obviously be much greater if the cities were unhampered by the necessity for parliamentary sanction. Experiments have their value for central as well as for local use, and there may well be

<sup>1</sup> Cf. pp., 429, 267.

<sup>2</sup> Data from Appendix D.

<sup>3</sup> Redlich, *English Local Government*, vol. ii, p. 346, quoting *Parl. Return* 344 of 6th August, 1900.

<sup>4</sup> Cf. Zueblin, *American Municipal Progress*—actually a compendium of municipal experiments and achievements.

<sup>5</sup> Cf. p. 181.

occasions where the experimental value even of a local mistake (through its value as a warning) would be the determining factor in the course of national legislation. The central government could reserve to itself control of classes of powers—such as police, regulation of trade, etc.—in which it feels that national interest might be threatened.

§ 7. *Legislative—imposition of duties.* With regard to the question of imposition of duties, the preliminary observation may be made that, other things being equal, it is obviously better for a city to accept a potential duty of its own free will than to have it imposed by central decree. The experience of the United States has been that such imposition in the case of cities was seldom necessary;<sup>1</sup> and in general the functions of the city have reached a higher stage of development, at least than the British minimum.<sup>2</sup> On the other hand, in the United Kingdom, it has been repeatedly urged that such a minimum is necessary. The contrast should lead to a search for reasons underlying the divergence. If, as seems likely, the reason lies in the greater financial stringency, it is remediable. Also remediable are the lesser defects in the use of the *ad hoc* body and in the manner of annexation, both of which weaken considerably effectiveness of action on the part of the localities. If, after these factors have been discounted, a national minimum still seems necessary, the responsibility—in the light of the voluntary activity of American cities—must rest either upon a deficient local initiative arising out of causes other than the above, or upon poor education. There appear to be no other possibilities. The question whether such a deficiency of local initiative, if it exists, is a cause of the necessity for centralization, or itself an effect of the centralization (creating as it were a vicious circle), must be left for later consideration.<sup>3</sup> The ultimate justification for imposition of a national minimum would seem to rest upon poor education.

<sup>1</sup> Cf. pp. 319, 472, etc.

<sup>2</sup> Cf. pp. 297, 299.

<sup>3</sup> pp. 598 ff.

The only conclusion which seems as yet possible argues for the creation of the situation most favourable to voluntary acceptance of matters which the central government conceives as duties. This situation can be created through adequate local revenues, suitable framework, and city boundaries which coincide with the extent of city problems. Once such a situation has been created, there would still seem to be a field for the national minimum; but what that minimum should be must vary with the education of the electorate. It is probably not only unnecessary, but also undesirable, to set it above the minimum achievement of the great majority of the cities.

§ 8. *Legislative control—general characteristics.* Certain general characteristics have already been noted in parliamentary or legislative control of local bodies, which must be reviewed in order adequately to estimate the advisability of such control as a general principle.

The experience of both countries justifies the general verdict that there are only two probable alternatives where such control is retained—neglect, or central dominance at the expense of the local view-point.

In the United States the first-named has not been so clearly marked owing to devolution. In the United Kingdom of late, neglect has come to be the characteristic attitude.<sup>1</sup> There is little hope of the situation growing better, and every expectation of its steadily growing worse. There have been but two concerted efforts to foster local self-government since 1835—and the last was in 1894. Neither attempt was markedly successful.

The dominance of the national or state view-point to the exclusion of the local has had even more serious consequences. Almost the whole history of American state and local relationship in legislative matters has revealed that

<sup>1</sup> Cf. pp. 336-340, 342 f.

partisan and not local interests were the determinants.<sup>1</sup> In the United Kingdom, except for its influence in affairs of London, partisanship has shown itself largely in an occasional sacrifice of the city's interests to those of the 'country party'.<sup>2</sup> On the other hand, the history of Great Britain, even more than that of the United States, emphasizes the evil effects of piecemeal legislation framed under the influence of functional domination.<sup>3</sup> In addition, the occasions have been frequent enough to constitute a warning,<sup>4</sup> on which grants or taxes were altered to suit the convenience of the Exchequer, with little or no regard to the effect of such alteration upon the localities. This has been particularly pernicious on account of the large part which financial arrangements have played in English central-local relationships. Many would also instance the numerous refusals of aid to the localities for the 'national' services, as examples of the same dependence of legislation for the localities upon the exigencies of the national finance.<sup>5</sup> Denial of the power to tax land has contained more of the partisan element.<sup>6</sup>

The last few decades have seen the growing dominance of the national view-point in England in still another form—whether rightly or wrongly is yet to be disclosed. This is in the type of legislation which reveals that Parliament, because of congestion, is more and more relying upon departmental recommendations for its legislation bearing upon local affairs. In so far as the departments present their own view-point (which may or may not coincide with that of the localities), the localities apparently are destined to have less of a direct voice in Parliament, than in the former and simpler times when their divergent points of view received recognition. This growing departmental dominance of Parliament in local matters may account for much of the failure to deal with local

<sup>1</sup> Cf. pp. 71, 128, 265, etc.

<sup>2</sup> Cf. pp. 170-178, 384-386.

<sup>3</sup> Cf. pp. 243, 401, 404, etc.

<sup>4</sup> Cf. pp. 167, 389.

<sup>5</sup> Cf. pp. 222, 406.

<sup>6</sup> Cf. pp. 241, 399.

government *as a whole*, and for the conception of local government as made up of distinct functions, and not as a single problem.<sup>1</sup>

This is not the place to consider the matter at length from the standpoint of the effect on Parliament; yet it is not amiss to point out that, in proportion as Parliament gives attention to local affairs, its other business must suffer. In proportion as it gives attention to other business, local affairs are neglected. At present it is endeavouring to give attention to both, and is almost hopelessly congested; while such legislation as concerns local government bears the unmistakable stamp of a functional, central, departmental domination.<sup>2</sup>

The conclusions from the experience of the two countries in the activity of central legislative bodies in local affairs do not materially differ. In general, the less such bodies try to deal with the details of local government the better—whether in the matter of framework or of functions. The alternative is local home rule or delegation to central departments. Local home rule seems preferable to legislative determination in framework and local powers, and (save a minimum resting upon the degree of education) in duties as well. Whether it is also better than departmental control must be left for further consideration. Where the legislative bodies have not been ineffective they have usually been incompetent.

§ 9. *Quasi-legislation.* The explanation of the recent development in the quasi-legislative functions of central departments has been twofold—resting in part in the congestion of Parliament, and in part in the need for more expert determination of details than Parliament can

<sup>1</sup> Cf. pp. 170, 344. However, one must not overlook the very considerable number of optional or permissive Acts. (Cf. pp. 229, etc.) The Education Act, 1918, for example, allows localities to conduct camps, give physical instruction, engage in research, raise compulsory age to fifteen, etc. Cf. *Minutes of Evidence, Royal Commission on Local Government*, 1923, Part I., p. 154, for a list.

<sup>2</sup> Cf. pp. 339 f., 401 f., for the attempts of the Association of Municipal Corporations to make the local view-point felt.

furnish. This latter aspect has been a result of the recent growth in complexity of functional problems in general. A parallel though more limited development has taken place in certain American states.<sup>1</sup> Thus, if central legislative determination be indeed desirable in a given matter, it is usually agreed that the details should be left to a department rather than attempted by Parliament or the legislature.<sup>2</sup> The alternative to this would be to leave such determination of details to the localities, either within the limits delegated in the Act (under the existing legal basis) or so far as not conflicting with the powers reserved in the Act (under complete home rule). The question as to which of the two alternatives to central Parliamentary determination of details (local or departmental) is the more desirable is not to be answered in general terms. In the first place, it seems impossible to draw a line between quasi-legislation in details and administrative determination of policy. In so far as the quasi-legislation concerns framework or powers, restriction of the scope of local self-government does not differ in principle from its restriction by direct action of Parliament. However, it is true that the central departments have more time than Parliament, and the expense of a departmental order is less than that of a private bill. Yet the departments are not so susceptible to direct responsibility or criticism.

§ 10. *Administrative control—advisory.* It is in the administrative powers vested in the central departments that there arises the greatest contrast between the policies of the two countries, and also the centre of the most acute discussion. Within the general class of administrative supervision, variations in type and degree may be noted.

<sup>1</sup> e.g. New York Education Department (Fairlie, *Centralization in New York*, p. 42 f.); Indiana Health Board (Rawles, *Indiana*, pp. 233 ff.); etc.

<sup>2</sup> Early examples of such blunders in details occurred in the Irish Poor Law; better results followed when details were left to the Central Board (cf. Hancock, *Local Government in Ireland*, p. 123).

These range from the purely advisory central board to actual central administration in place of the local authority. Between these extremes are two other clearly defined types—the central authority that directs through the grant-in-aid, and the central authority that relies only on its legal sanctions to obtain its will. To this latter type belong matters such as approval of loans, auditing, etc.

With regard to advisory functions of central boards, there exists nothing but unanimity as to their desirability. This is particularly true in the matters of research and publicity. The same approval is usually extended to friendly inspection in order to render their superior knowledge more available. Services of this type have been noted as characterizing the central boards in the United States,<sup>1</sup> and the surface impression indicates that functional development and local interest have not suffered thereby.<sup>2</sup>

§ 11. *Effect of power on the advisory function.* Before proceeding to an examination of the more drastic forms of central control, and in view of the fact that the value of central advice is generally admitted, one must consider whether there is any evidence that would point to a supervisory and regulative board, from the nature of its work, being less inclined to perform research and advisory functions. It is evident that the purely advisory boards, such as prevail in the United States, can only secure their will in local policy by a knowledge genuinely superior to that possessed by the localities. Furthermore there must be a distinctly tactful respect for the local viewpoint, and one which recognizes the fact that the central department can win its way only so far as it can convince the localities of the merits of the recommendation in question. It is this aspect of their duty which practically forces them to engage in research. On the other hand, the departments in the United Kingdom are endowed with power, and hence need not convince in order to carry out their will. Any research in which they may engage

<sup>1</sup> Cf. pp. 93-96, 99 f., etc.

<sup>2</sup> Cf. pp. 444, 451, etc.

is purely voluntary on their part, and not, as in America the 'life' of their existence. That what is thus so voluntary has tended also to become incidental and neglected, may be judged by a comparison of the amount of departmental research in the two countries. Though a list of instances is difficult to formulate,<sup>1</sup> a comparison of appropriations for research will reveal the relative esteem in which this function is held. In the United States the Federal Government alone spent (1920) \$57,368,774 on 'Research, Educational, and Development Work'. Miscellaneous similar activities in Great Britain totalled £1,598,279. Of the total expenditures of the Board of Education and Ministry of Health, £3,605,320 seems to have been for supervision and only £20,496 directly for research.<sup>2</sup> For all the great list of specific tasks of research undertaken by the multiplicity of American advisory boards, state and Federal; the English Ministry of Health, Board of Education, and Home Office have relatively little to show in comparison.<sup>3</sup>

<sup>1</sup> e.g. The U.S. Bureau of Education in 1921 published fifty-three *Bulletins*, the majority of which comprised studies in method or administration. Many of these were based on local experiment. In addition it should be remembered that almost every state department of education publishes material of a similar nature—much of it of considerable value. Cf. also, *The Causes of Dependency*, by the N.Y. State Board of Charities and Corrections.

<sup>2</sup> The data are certainly not directly comparable. On the other hand, research by the various states probably makes up for much that is included in the American but not in the British data. In the latter are included £216,931, Scientific Investigation; £125,118, Intelligence and Statistics Division (Ministry of Labour); £415,923, Scientific and Industrial Research; £32,000, Sundry Royal Commissions; £767,810, Department of Agriculture and Fisheries; £20,000, Forestry Commission. Data are computed from *Estimates for Civil Services, 1922-3*, Part IV, p. 2 f.; VI, p. 50; VII, pp. 42, etc. (H.C. 32, 1922). *Second Interim Report, Committee on National Expenditure* (Cd. 1582, 1922), pp. 32, 51, etc.

American data are from 'Taxation and Public Expenditure' in *Annals*, May 1921, pp. 7-9.

<sup>3</sup> In 1921 the Board of Education published only four or six studies of the type comparable to the American publications. Cf. *Report of Board of Education, 1920-21* (Cd. 1718, 1922), cover, and pp. 9, etc.



One further indication of the stunting effect of power on central research is brought out by a comparison of the extent to which the departments of the two countries go outside their own borders for study. It has been said that Americans write more about the problems of British government than the British themselves. Scarcely a year passes without witnessing some representatives of American advisory departments detailed to study particular problems of local administration as exemplified in the experience of other countries.<sup>1</sup> By way of contrast, there seemingly is not a single comprehensive study, by a British department, of methods whereby any problem of local government is solved outside the national borders.<sup>2</sup> The department involved refused to send a delegate to the International Congress on the Administrative Sciences,<sup>3</sup> and sent one to a similar conference on housing only because he paid his own expenses.<sup>4</sup>

Doubtless other factors enter into the contrast between the departments of the two countries in these matters of research and outlook. For instance, there is the American tendency to 'junketing';<sup>5</sup> and what the British call their own complacency. Yet, however much one makes allowance for these factors, the verdict seems indisputable that, if a central department in its dealings with cities were compelled to carry its points on their merits alone, the department would seek to be better informed. Hence,

<sup>1</sup> This is most common in the case of education, but frequently occurs in public health, police, justice, etc.

<sup>2</sup> At least such an one has not come to the attention of the author.

<sup>3</sup> Cf. Harris, *Problems of Local Government*, Introductory.

<sup>4</sup> Interview with official at Ministry of Health, 1921. On the other hand, some instances occur of city officials studying foreign methods, e.g. Manchester and its traffic problem (*Political Quarterly*, December 1914, p. 217 f.); Glasgow tramways (Putnam, *City Government in Europe*, p. 35 f.).

<sup>5</sup> i.e. Legislators occasionally appropriate large sums for trips abroad or in the U.S. to be enjoyed by political supporters, ostensibly for 'study'.

over against any benefits resulting from central sanctions, must be set the tendency of these same sanctions to weaken the inclination for research. Thus, if a central department were advisory only, and forced to 'know whereof it speaks', it would then be in a better position intelligently to counsel Parliament as to legislation—a function which in any case it must perform to an increasing degree. Most of all, it would be more fit to guide the localities—in other words, to perform its chief function of a centre of intelligence.

All this must be borne in mind in an attempt to understand certain unfavourable phenomena which evidence themselves from time to time in the further analysis of central administrative regulation.

In addition, one must remember that, even if an 'ideal' type of central regulation should emerge, there is no assurance—and in fact grave reason for doubt—that Parliament would leave it unaltered. The latter's dealings with local government bear too much the stamp of tampering and muddling, as well as neglect, to presuppose the continuance of the 'perfect' central regulative department—even if such could be found.<sup>1</sup>

§ 12. *Administrative—regulatory.* However, one must further examine the two main types of administrative control, namely, control without grants and control by means of grants. The latter method, generally considered to be the sounder of the two, has been subjected to the exigencies and uncertainties of national finance. The earlier history of the grants (as elaborated by Grice and Webb) points clearly to the inability of Parliament to determine details.<sup>2</sup> Another weakness of Parliament has been a failure to hold to a consistent solution long enough

<sup>1</sup> Cf. pp. 210, 220 ff., 358, etc.

<sup>2</sup> Grice, *National and Local Finance*, cf. especially pp. 102, 114 f.; Webb, *Grants in Aid*, develops this thesis at length, though drawing therefrom the conclusion—not simply that Parliament was incapable—but that such control should be in departmental hands.

to allow an estimate of its results.<sup>1</sup> The needs of the Exchequer, not the interests of local government, have dictated the changes.

Aside from the fact that central control, minus the grants, is not subject in like degree to the exigencies of national finance, its supporters usually claim that (unlike the grant-in-aid) it does not encourage irresponsible local expenditure. This is met by the supporters of the grant with the counter-claim that the grant-in-aid but stimulates expenditure in desirable directions. These two arguments reveal that the difference involved is not so much one of fact as one of view-point. One side wishes the localities stimulated in their expenditure, the other side wishes them to spend as little as possible. In so far as the merits of the dispute involve, not so much which form of central control is better, but whether localities should spend money fairly freely, or confine themselves within limits of rigid economy—it raises a question not directly concerned with the advisability of central control.

The arguments advanced for the superiority of the method of the grant over the method of the legal sanction are quite well known.<sup>2</sup> It is pointed out that the method insures better central-local relations, and hence proves more effective in attaining a desired end. This argument is based upon the premise that the localities would be willing to accept control for the sake of financial aid. The second argument advanced for the superiority of the grant is that through retention of local volition—to accept or not accept the grant, plus control—local independence is preserved.

It has already been evident that both of these arguments contain serious defects. If it be true that the localities have accepted the control for the sake of the aid (and it seems to be true, though under protest),<sup>3</sup> the argument

<sup>1</sup> Cf. pp. 222, 225, 406.

<sup>2</sup> Webb, *Grants in Aid*, ch. ii.

<sup>3</sup> Cf. pp. 401, 403, 405, 406.

is based upon a situation aggravated by a burdensome rating system and the denial of alternative sources of revenue. If such an alternative source of revenue existed, it is likely that the protests would be greater.

The *a priori* argument that local independence is reserved under the method of the grants, while denied under control without grants, seems to err, not only in failing to appreciate how greatly the policy of earning grants would dominate other considerations,<sup>1</sup> but also in the narrowness of its definition of local freedom. What this definition is may be made clear by a quotation from the point of view of one of its advocates:

'We wish to leave the local authorities free to choose, just as a wise parent leaves his children free to choose. But there is no harm, and on the contrary great gain, in taking care that the choice is exercised with all available knowledge; and experience shows that the choice is more likely to be wisely made if some financial inducement is previously thrown in the balance in favour of the course which, whilst benefiting the locality itself here and now, is likely to be of most advantage to the community as a whole and to the locality in the long run.'<sup>2</sup>

This contains the key to the attitude of the grant-in-aid school. Policy, 'city-building', the major decisions, are to be determined by government departments; and the localities are to accept such determination, not under compulsion, but for a monetary consideration, 'as a parent judiciously cajoles a child to perform a task by offering candy, or sugar-coats the medicine'—to carry out the simile chosen by the advocates of this method. The evidence is far from negligible that this interpretation of local 'independence' is tending to create the very situation it postulates (local inertia and recalcitrance)

<sup>1</sup> Cf. pp. 406-408, etc. This was universally expressed by the municipal officials interviewed by the author, as picturing the situation particularly in education.

<sup>2</sup> Webb, *Grants in Aid*, p. 22.

by undermining local interest and failing to provide an incentive for capable and large men to serve on the councils.<sup>1</sup>

Thus the superiority of the grant-in-aid system over the ordinary form of central control, so far as it is based on the smaller amount of friction or its greater effectiveness, rests to some extent on a defective system of local revenue—which system, considered as an independent matter, should be abolished. However, it is probable that, even were greater revenue locally available, the grant would still be effective. Thus, if Parliament can be counted upon to meddle but little, the grant-in-aid remains as the most effective means of compulsory centralization. A change in the revenue system would weaken but not remove the argument based on local willingness.

The alleged superiority based on maintenance of local independence is largely fictitious, and results from a comparison of actual centralization (under old methods) with an intellectually ideal centralization not realized in practice under the new method.<sup>2</sup> It is little more than a quibble; for there is little difference in the ultimate effect on local self-government, whether its compliance be enforced or purchased—unless it be that the latter method breaks down the morale of local resistance to central encroachments. The issue is thus brought back to the fundamental one underlying both plans. Is centralization in administration desirable? If so, the 'morale of local resistance' should be broken down, and the grant-in-aid should be adopted. Let there be no mistake, however—its adoption does not assure the retention of local independence.

§ 13. *The assumptions of central regulation.* Hence all the foregoing must be considered only as preliminary to an analysis of the characteristics common to both of these methods of centralization of power in the hands of

<sup>1</sup> Cf. p. 371; Appendix B.

<sup>2</sup> Cf. pp. 407, 413, etc.

government departments. Fundamentally, both assume (1) central superiority, both in knowledge and in the calibre of the officials, and (2) a gain by compulsory imposition of this superiority. Without any attempt at *a priori* argument on either side, certain concrete tests may be proposed to aid in determining the soundness of these two assumptions.

The first test may be called the test of bureaucratic tendencies. Has there been a desire on the part of the central departments for extension of their powers? If so, the increasing reliance of Parliament upon departmental advice takes on a new significance. That the departments do seek such extension thus appears, not only in the evidence before committees,<sup>1</sup> but may also be read into the actual growth of such power—which has been proportionately more rapid as Parliament has become congested, neglectful of the local view-point, and prone to follow the advice of the departments.<sup>2</sup> It seems apparent that the existence of power and its exercise beget the desire for more power. Whether such an extension is desirable or not, the fact should be noted that there appears to be no machinery capable of counteracting such a bureaucratic tendency.

Is there evidence of delay and 'red tape'? The concrete examples of the conduct of the Local Government Board in the '90's<sup>3</sup> and under the Housing and Town Planning Act of 1909<sup>4</sup> are perhaps the best known. But even more significant is the constant complaint of its existence from the localities themselves.<sup>5</sup> From all this, American cities are spared. Do the central departments require a large amount of clerical work from the local

<sup>1</sup> e.g. In 1902 all the witnesses examined by the Select Committee, *except those representing the Government Departments*, were in favour of relaxation of central departmental control over bond issues and other loans of localities. (Cf. Grice, *National and Local Finance*, p. 348.) Cf. also *supra*, p. 413.

<sup>2</sup> pp. 337 f., 349, etc.; also Appendix L.    <sup>3</sup> p. 211.    <sup>4</sup> p. 360.

<sup>5</sup> Expressed almost universally in interviews with local officials.

authorities? The fact that in their hands lie the determination of the grant-in-aid and the enforcement of the parliamentary will, naturally makes a certain amount of this inevitable. Yet, beyond this, the complaints are constant concerning the multiplicity of book-keeping details required—particularly by the Board of Education.<sup>1</sup> Is there central-local interchange of officials? The complaint of the inbreeding policy of both central and local authorities to the exclusion of interchange, has been an historic one in England; in contrast to the American tendency to draw upon the ranks of local officials for the staff of their advisory departments.<sup>2</sup> Is there evidence to show that the powerful central departments are more difficult to re-organize than the advisory boards? The evidence here is partly one of impression and *a priori*; but it would seem to follow from the more narrow view taken by the former in the matter of research, and the greater tendency toward inbreeding in its personnel, that it would be more apt to get into a groove and be less susceptible to readjustments to meet changing conditions, than if more given to study, to a broader outlook, and to the introduction of new blood in its personnel. This is the basis for complaint that precedent is too much followed. In America, on the other hand, complete

<sup>1</sup> e.g. In one town (Leeds) in 1921 the medical staff of the Education Committee had to put in overtime for three months on account of returns required by the central authority. At the time of interview and investigation by the author, no less than three departments were working on two letters of enquiry from the Board of Education. Not only must the estimates be sent up, but after six months an enquiry comes as to the working out of the estimate, and the estimate for the next year. Salary returns of every individual teacher must be sent on, and then fuller data are frequently required in specific cases. Grants were supposed to be cleared by the end of the year, but (Jan. 5, 1922) 1919-20 had just been cleared up and 1920-21 were hanging on. Small wonder that the opinion was expressed that the cost of central control was greater to the local authorities than to the central department. The same state of affairs holds true to a greater or less degree elsewhere.

<sup>2</sup> In part this is doubtless due to the tendency to use posts as rewards for political service.

re-organization of state departments in the interest of greater effectiveness has recently taken place in a large number of states.<sup>1</sup>

Summarizing, it would seem that the strong central department gives evidence of being inherently bureaucratic in the unpleasant sense of the word. It desires greater power; it suffers from delay and 'red tape'; it requires from the local authorities what would seem to be an excessive amount of clerical work; it has not as yet developed what has long appeared eminently desirable—an interchange of officials with local authorities; it seems inherently difficult to reorganize, and to be a devotee of precedent.

The element of expense is a fair subject for testing. It is very difficult—perhaps impossible—to discover in its entirety. This is due to the fact that the whole story must include the amount saved (or otherwise) to the localities consequent upon central control. Even in its purely financial aspect, this reflex upon the localities is not capable of computation, to say nothing of the finer points involved of 'service rendered'. However, taking the British Ministry of Health and the Board of Education as examples, the cost for administration alone (1920) was £3,605,320. This has only one meaning, which is that in a central regulative department<sup>2</sup> a vast amount of work must be done 'over again'. In other words, it takes one person in a locality to prepare a town planning scheme; it takes another person in the central department to re-examine the same scheme. Most of such expense is saved the state and Federal governments in the United States, in so far as their central departments are purely advisory.

Nor is the expense to the localities themselves by any means negligible. The locality bears the cost of local

<sup>1</sup> Cf. Buck, 'Administrative Consolidation in State Governments', in *National Municipal Review* series.

<sup>2</sup> Cf. Appendix W, for basis of computation.



inquiries required by the central departments. The cost of the clerical work, also quite largely spared American cities, is not easily computed, but is evidently a considerable sum.<sup>1</sup> Hence, in the final determination as to the type of central department desired, these elements of greater expense must receive due weight. They are far from being so inconsiderable as not to require substantial compensating advantages from the service of the regulating board.

The test of central-local good feeling and co-operation is certainly a fair test to apply. The United States has quite apparently achieved this good feeling, for in the purely advisory capacity of the central boards there is inherent harmony with the local view-point. The assumption of the advisor is that the locality desires the advice, if it is good—and the burden of proof as to its goodness rests upon the advisor himself. There is a tacit assumption of co-operation in the solution of a common problem, which is the essence of the voluntary nature of the arrangement. In the United Kingdom also the mutual relations have been surprisingly cordial, yet two factors show that there is a conflict of view-point inherent in the compulsory nature of the contact. Local resentment is uniformly expressed against all extensions of central power,<sup>2</sup> and any such extension carries the implication from the central view-point of distrust of the localities. A 'stream of resolutions' on each piece of proposed legislation affecting local government goes from the local authorities to the minister in charge.<sup>3</sup> Advisory councils have been tried, whose members were chosen from the local authorities and whose purpose has been co-operation with the central boards. The first was

<sup>1</sup> Cf. footnote 1, p. 574.

<sup>2</sup> pp. 374, 401; also cf. *Annual Meetings, Association of Municipal Corporations*, 1900, p. 24; 1907, p. 68; 1919, p. 97; etc.: (do.) *Annual Reports*, 1919, pp. 75 f., 77, 78, 80; 1910, pp. 52, 54; 1912, p. 121; etc.

<sup>3</sup> Bannington, *Public Health Administration*, p. 24, credits these with a considerable amount of influence on details of legislation.

introduced in pre-war days. Their success has not as yet (1926) been conspicuous. Whether they contain the germs of a future solution of central-local relations it is difficult to predict. That better feeling is inevitable in a voluntary relationship entered into between legal equals, than in a situation where one body has legal power over the other, is apparently borne out by the results in the two countries.<sup>1</sup>

If it were possible to discover whether more mistakes and mistakes of greater significance) were made by the localities in their independent acts than by the central departments in their orders; and furthermore, if it were possible to discover whether more reforms of existing evils, weaknesses, and abuses were forced by the local authority than by the officials of the central departments,<sup>2</sup> such discoveries would carry great weight in the determination of the superiority of the central departments, and in the justification for the compulsory imposition of this superiority. *A priori* arguments have been advanced on both sides. Furthermore, it would be easy for either side in the dispute to compile instances *ad infinitum* to prove its case. Thus the tests of mistakes made and of origins of reform must be waived, as incapable of concrete application. The two assumptions of the centralization school must be examined in the light of the few tests already suggested.

That the central department renders decisions that are superior to those which are arrived at locally, is by no means proved; but it is shown that if the department is advisory, such central decisions are more likely to be sound and superior. That the central department should impose its will upon the localities assumes this superiority. The superiority should evidence itself in

<sup>1</sup> Cf. pp. 99, 414 ff. Bannington, *Public Health Administration*, p. 308 f., points out the doubtful effectiveness of the imposition of such control, even to secure the specific purpose in question.

<sup>2</sup> The element of advice is not in question in either of these cases: the exercise of compulsion is the only point at issue.

open-mindedness to similar questions as they are solved in other countries. It should be revealed in flexibility and freshness of thought to counteract the dead-weight of precedent, and to discover solutions as well as to adapt them to problems. The imposition of this superiority assumes an intimate knowledge of the local view-point and of the local problems.<sup>1</sup> Instead of finding these characteristics conspicuous in the British departments, all of them are more present in the advisory departments of the United States. These latter are thus in a better position to render a service, which historically has seemed to be more willingly received,<sup>2</sup> and which—at least in its immediate cost—is much less expensive. Yet whether the actual problems of city government are better solved in an atmosphere of local freedom, involves a consideration of the results of legislative as well as administrative centralization. All that appears thus far may be summarized in the statement that the advisory department tends to be more serviceable than the compulsory department, through its greater knowledge, smaller expense, absence of friction, and lack of bureaucratic tendencies. That the English localities would accept such advice to an extent that would justify the risk to the national interest involved by a withdrawal of compulsion is not yet proved.

§ 14. *Quasi-judicial and judicial centralization.* The two other main types of centralization—the quasi-judicial (departmental adjudication) and the judicial (adjudication by the courts)—require but a brief notice. The advisability of quasi-judicial functions in the hands of departments involves issues of juristic policy that are beyond the scope of this treatise. As far as city government is concerned, it is doubtless more convenient and expeditious for the localities to have certain powers of decisions as to facts, subject to departmental appeal. However,

<sup>1</sup> Government departments are, however, usually represented at conferences of the Assoc. Munic. Corp., Nat. Union of Teachers, etc.

<sup>2</sup> pp. 99, 192, 414 ff., etc.

the line which separates questions of 'fact' is difficult to draw.<sup>1</sup>

Arising out of British judicial policy are at least two suggestions of value to American cities. First, judicial centralization is needed to arbitrate between two disputing authorities—where sole reliance on a plebiscite is not feasible.<sup>2</sup> Secondly, it is needed to assure the 'rule of law'.<sup>3</sup> Of these there is theoretically little question, but in practice both have been constantly disregarded by American cities. In the cities of the United States one sees the 'official' manifestation of American lawlessness.<sup>4</sup> This is the key to the weakness of locally elected judges, and of judicial decentralization. It has already been noted as a factor in the problem of police, and it will appear later as prominent in the corruption of the cities.

§ 15. *Tentative conclusions.* Surveying the types as briefly analyzed, is one justified in the light of somewhat conflicting evidence to frame even a tentative conclusion? Perhaps no more than to say that the general case for centralization is far from proved, and that, in the forms it has thus far taken, centralization has exhibited many weaknesses. Parliament and the legislatures have neglected or disregarded local interests,<sup>5</sup> and imposed handicaps on local efforts. The central departments, if endowed with power, have tended to be bureaucratic,

<sup>1</sup> On the other hand, the Massachusetts Supreme Court (*Salem v. Eastern R.R. Co.*, 98 Mass. 431; *Taunton v. Taylor*, 116 Mass. 254, etc.) has held that every act of a Board of Health is a judicial one and subject to an appeal to the courts—even where the Board was not compelled to grant a hearing (*Peabody, Public Health in New York and Massachusetts*, p. 73).

<sup>2</sup> Examples of this type are questions as to location of waterworks, sewage disposal plants, harbour control (where more than one authority is involved), etc., etc.

<sup>3</sup> If all save *reserved* powers are to be delegated, it might necessitate departmental development into a kind of administrative court.

<sup>4</sup> e.g. in the refusal of local authorities to co-operate in the enforcement of a state law.

<sup>5</sup> Where local interests have been taken into account, the same result would have come more easily under 'home rule'.

and hence less capable of intelligent local service. Central control appears to involve a considerable measure of expense.

#### CRITICISM OF THE GENERAL POLICY OF CENTRALIZATION

§ 16. *The evidence from history.* Fortunately, however, historical and comparative study enables one to speak in positive terms as to the effects of the divergent policies of the two countries upon the localities themselves—even after making full allowance for complicating factors. Further actual tests on the two main criteria of judgment—national interests and good government for the locality—indicate that, although the verdict may be uncertain if confined to one country, a comparison of the two makes it fairly clear.

It is difficult to isolate a single factor, such as central-local relationship, among historical phenomena, and declare dogmatically that the one factor accounts for such and such a result. Yet the coincidence between local freedom and local good government has been rather remarkable in both countries. It will be remembered that up to about the middle of the nineteenth century American city government was fairly satisfactory, but that it suffered a decline from about 1850 to 1870, coincident with the growth of state interference.<sup>1</sup> Unquestionably there were other factors, some of them more powerful; but the localities were often denied the chance of working out their own remedy. A partial gain came in the '70's, and coincided with incidental successes in obtaining local freedom.<sup>2</sup> City government was moribund from 1880 to 1895, at which time state interference for partisan advantage was perhaps at its height.<sup>3</sup> From 1895 the steady gain in city government has accompanied a growth in home rule.<sup>4</sup> Thus the experience of the

<sup>1</sup> Cf. pp. 17-20.

<sup>2</sup> pp. 73, etc.

<sup>3</sup> pp. 128 ff.

<sup>4</sup> pp. 147 f., 266 ff., etc.

United States by itself creates a strong presupposition that local freedom is a contributory factor to local good government. It certainly makes clear that the 'anarchy of local autonomy'<sup>1</sup> not only was not to blame for evils in American city government; but the evils were actually much less when such was the policy, and were greater when this 'anarchy' was departed from to the extent of centralizing the determination of local affairs.

The experience of the British cities is but little less striking. Used for national or partisan ends prior to 1835, the cities exhibited all the phenomena that characterized American cities under the same circumstances.<sup>2</sup> Municipal autonomy in 1835 brought municipal reform and municipal activity.<sup>3</sup> This waned during the decades before 1870, when centralization and distrust of the localities were in the ascendancy.<sup>4</sup> The liberal endowment of powers in the '70's coincided with more vigorous and effective local government than had as yet existed.<sup>5</sup> From 1880 to 1888 the cities were under a financial cloud; but when the situation was relieved, and Parliament had turned to the fostering of local self-government, there ensued a wave of local effort, increasing at least till the opening of the century.<sup>6</sup> After this date, and coincident with the growth of centralization, matters were complicated by the financial stringency and the war.<sup>7</sup> Thus the parallel between local freedom and a more vigorous development is perhaps not so close in the United Kingdom; yet at times when finance was adequate, the coincidence can be established.

§ 17. *The evidence from functions.* If the experiences of the two countries are combined, the coincidence becomes more striking. This is emphasized by the greater

<sup>1</sup> Webb, *Grants in Aid*, p. 5, says, 'This (i.e. the anarchy of local autonomy) . . . has given the United States the worst local government of any country claiming to be civilized.'

<sup>2</sup> Cf. p. 32.

<sup>3</sup> p. 45.

<sup>4</sup> pp. 42-46.

<sup>5</sup> pp. 178-189.

<sup>6</sup> pp. 226-238.

<sup>7</sup> pp. 369-378.

expansion in functions during 1905-1920 that took place in American cities under conditions of local freedom, than occurred in the United Kingdom under conditions of central direction.<sup>1</sup> Though other factors were also involved, this does at least indicate that expansion is certainly not the less sound if localities are allowed autonomy (accompanied by an adequate source of local revenue) than if in central tutelage.

A test of this same coincidence has already been made in the case of individual functions.<sup>2</sup> Putting the results of that test with the observations on the general history, apparent exceptions, such as the superior earlier development of health and municipal trading in Great Britain, may be explained under the same hypothesis of greater local freedom. The test by functions carries still farther the probability that *when and where local effort is the freest, it is also the most vigorous*.<sup>3</sup> That this local energy is in itself desirable for national interests can best be understood when it is called to mind how much better the functions which have rested on local interests have been able to weather financial stringency than have those which were undertaken at the behest of the central government. This test by functions tends to show that an alternative explanation of general phenomena, as due to financial stringency, cannot be wholly the correct one—for in both countries there are instances where free functions have not suffered from the general paralysis due to economy waves.<sup>4</sup>

§ 18. *The evidence from individual cities.* However, it is necessary to test this general proposition of the coincidence of local freedom and good government in greater

<sup>1</sup> pp. 350-369; 286-316, var.      <sup>2</sup> p. 472.

<sup>3</sup> Possible exceptions may occur in the initial stages of certain functions, under conditions of backward education. Cf. p. 15.

<sup>4</sup> The best known instances have been education in the U.S. (pp. 313-316, etc.) and health in the U.K. (pp. 228 f., etc.). In the case of the former, the prevalence of the *ad hoc* school board was probably a factor. Cf. p. 495 f.

detail than has been done in the more general aspects of history and functions—particularly as a preliminary to further comparisons between the two countries. It will be recalled that there have been many suggestions of divergent development between states in the United States, and between parts of the United Kingdom.<sup>1</sup> The differences in centralization have been among the chief instances. If, then, the general proposition holds true in its detailed application to these cases where other factors—so different between the two countries as a whole, or between decades—are approximately equal, it is reasonable to suppose that such a result approximates to an isolation of the single factor of centralization, and amounts to a confirmation of the more general verdict indicated by the other and more complicated situations.

In the United States this is confirmed on a large scale by a comparison of the cities of the South with those of the North. The causes leading to a greater degree of centralization in the former have been suggested,<sup>2</sup> and it is interesting to note that civic effort was correspondingly weak in education and health matters.<sup>3</sup> Recent gains by Southern cities in these and other functions have been coincident with the establishment and growth of local autonomy—notably in Texas and Virginia. A similar striking parallel may be drawn between the good government of the free cities of the West and the poor government of the cities of Pennsylvania, dominated as these latter have been by the partisan interests of the state.<sup>4</sup> Within single states, where other conditions are more surely similar, the same remarkable coincidence occurs. For example, at the time when Cleveland was free, the government of Cincinnati was for many years subject to

<sup>1</sup> e.g. pp. 309 f.; 231, footnote 5; etc.

<sup>2</sup> p. 98 f.

<sup>3</sup> pp. 315, etc. However, the South was spared some of the corruption of the '80's.

<sup>4</sup> pp. 332 ff.



periodic interference by the Ohio legislature. The spectacle of two cities, one the best governed and the other among the worst governed in the United States—both in the same state, but the latter subjected to a state interference in contrast to the freedom of the former—presents a remarkable confirmation of the general thesis. It is interesting to note that since the Ohio Home Rule Amendment was applied to all cities (1912), Cincinnati has enjoyed a measure of improvement that recalls its early free days in the '70's.<sup>1</sup> Taking American cities individually, the conclusion is almost universally confirmed that, to the extent that the city is free from central control, to that extent it is better governed.

A study made in 1917 by Reed College<sup>2</sup> graded thirty-six cities in eighteen categories: wage rates, cost of living, death rates (adjusted to population composition), infant mortality rates, percentage population married, percentage church membership, child labour, parks, pavements, fire loss, public properties, library circulation, school attendance, school property, teachers' salaries, pupils to a teacher, illiteracy, percentage of foreign-born speaking English. Not all of these are under the control of the municipality, but enough of them are to make their comparative rank significant: viz., Seattle, Salt Lake City (tied for first), Denver, Los Angeles, Washington, Portland (Ore.), Minneapolis, Cincinnati, San Francisco, St. Paul, Omaha, Cleveland, Boston, Buffalo, St. Louis, Kansas City, Milwaukee, Newark, New York City, Pittsburg, Chicago, Indianapolis, Louisville, Detroit, Springfield (Ill.), New Haven, Philadelphia, Baltimore, Memphis, Providence, New Orleans, Scranton, Jacksonville, Atlanta, Charleston (S.C.), Birmingham. The college called attention to the supremacy of the West and

<sup>1</sup> Cf. Bibliography, pp. 638 ff., for histories, etc., of these two cities on the basis of which these deductions have been made. Steffens, *Shame of the Cities* (ch. on 'Cincinnati'), deals with this also.

<sup>2</sup> *Statistical Study of American Cities*, Reed College Series.

the backwardness of the South. No less significant is a comparison on the basis of 'home rule'<sup>1</sup> :

Rank	Home Rule	Under State Legislature	Per cent. Home Rule
1st 1/4	7	2	77
2nd 1/4	6	3	66
3rd 1/4	1	8	11
4th 1/4	1	8	11
Total	15	21	42

Within the United Kingdom there is less opportunity for comparison free from conflicting factors. Scottish cities are, in general, subject to less detailed control by the Scottish departments than is the case in England; yet it is not usually felt that their efforts in education or in health are less vigorous or less sound than those of the English.<sup>2</sup> Ireland has been subjected to an extreme centralization, which must not be blamed wholly (perhaps not at all) for the weakness of local efforts. Yet the Irish cities have used vigorously each measure extending them power, so that they furnish no contradiction to the general phenomena observed elsewhere.<sup>3</sup> The single important instance of special treatment of Wales that concerns local government was the extension of home rule in intermediate education. This was followed by a local development of secondary schools, similar to the one in England until checked by central restraint.<sup>4</sup>

<sup>1</sup> This table does not appear in the Reed College study, but has been made by the author of this book.

<sup>2</sup> The large number of experiments by Scottish cities, particularly Glasgow, as the result of the freedom allowed in the disposition of the 'Common Good', should be noted (Atkinson, *Local Government in Scotland*, pp. 288 ff.). Especially in education, Scottish efforts have been held up as models. The health services of Edinburgh and Dundee have been perhaps more open to question. However, until recently, English cities were relatively free in public health development.

<sup>3</sup> Cf. Webb, *Municipal Government in Ireland*, p. 269.

<sup>4</sup> pp. 233, 352.

Thus, when tested in detail, there appears strong confirmation of the proposition (concerning the inter-relation of freedom and activity) which appeared true after a general survey of the history and of the functions. That good government was the *effect* of freedom, and not its cause, is shown most strikingly in the United States—where it has tended to follow freedom. That waves of centralization preceded—not followed—weak local government is fairly clear from the more recent English history.<sup>1</sup>

§ 19. *The national average and minimum.* The test of the national average is important. Other factors are too many and too obvious to make possible isolation of the single factor of centralization. If, however, it can be shown that the average is even the same in the two countries, it would point to the fact that the United States is probably no worse for decentralization. A brief *résumé* of the functions shows a margin in favour of the United States. The average expenditure for education is far higher,<sup>2</sup> the death duties are approximately equal,<sup>3</sup> American cities have far more extensive programmes of community recreation<sup>4</sup> and spend more for public libraries<sup>5</sup> and parks.<sup>6</sup> Evidence is much too complicated by other factors to render poor relief or housing comparable. Only in police has Great Britain a favourable margin, if the amount of crime be used as a criterion.<sup>7</sup> The sum total of all these functions would seem to show that the *national* interest (as interpreted by the average) does not suffer from local autonomy.<sup>8</sup>

To test the national minimum, on which advocates of centralization rest their strongest case, is no easy matter. For the purposes of this study, a consideration of the rural districts, where the need of the minimum is usually the greatest, is not in point. If it were not for one

<sup>1</sup> pp. 226-239, etc.

<sup>2</sup> p. 441.

<sup>3</sup> p. 451.

<sup>4</sup> p. 470.

<sup>5</sup> Appendices B, X.

<sup>6</sup> Appendices B, X.

<sup>7</sup> p. 468.

<sup>8</sup> With reservations in the case of police. Cf. p. 594.

circumstance that is usually overlooked, it would appear that the methods of the United Kingdom enjoyed a slight advantage in the matter of the national minimum. In almost every case the cities which have exhibited the American minimum have been the ones which have been most frequently the subjects of central interference or control.<sup>1</sup>

Thus it appears probable that local freedom in functional development on the whole tends toward a coincidence of local and national interests. There is another and more important aspect of this coincidence. It has frequently been urged that a vigorous local government is ultimately the best foundation for a strong national government. This forms too much a part of the creed of the two nations to require elaborate defence. If then it is accepted as substantially true, any evidence becomes of the highest significance which tends to show that centralization is weakening this vigour, or that local freedom makes it more strong.

§ 20. *Effects of home rule on the individual.* A test of the popular interest in city government in the two countries shows widely different results. The *a priori* argument of the decentralization school has been that lessened local discretion weakens popular interest in local government. If this be true, it will tend to reveal itself in the extent to which the electorate exercises its franchise. Data concerning American cities are extremely difficult to obtain, but there appears to have been a decline in British local interest coincident with the growth of centralization.<sup>2</sup> The result is further confirmed by the amount of independence shown in the voting, which may be considered as one evidence of more thoughtful interest. Non-partisanship has grown greatly in America,<sup>3</sup> while in few British cities has an 'independent' much chance of election.

<sup>1</sup> Cf. table, p. 585, for a composite expression of this. Cf. also pp. 440 f., 309, for individual functions.

<sup>2</sup> Cf. pp. 371 ff.

<sup>3</sup> Cf. p. 333 f.

One gains the impression that the average American citizen takes a much greater interest in city affairs.<sup>1</sup> The general attitude reveals itself even in the daily conversation; for an American, when speaking of a city project, usually says, 'We did it', while the Englishman would say, 'They did it'. That this local interest in America has grown with the fight for and the extension of home rule has been apparent throughout its recent history.<sup>2</sup> Thus the comparison of the two countries brings out the fact that popular interest has been the strongest where central control has been the weakest.

The test of municipal pride is more intangible and much less capable of measurement. At least on the surface, England seldom approaches the municipal rivalry and the struggle for municipal prominence that mark the American city.<sup>3</sup> If it were not for certain other facts, this might be considered the municipal expression of what is felt to be a similar difference in the character of the individuals. It has been noted how much the advisory departments study the experience of other countries.<sup>4</sup> If the pride of the American municipalities were only a surface pride, it would have confined itself to self-congratulation. It is just because it does run deeper, and does rest upon the pride of the average individual in making his own city the best possible, that the cities are

<sup>1</sup> If this greater interest be put to the credit of the greater amount of education of the masses in the U.S., it should be remembered that this itself was largely rooted in local self-government.

<sup>2</sup> Cf. pp. 147 f., 280-286, 297, etc. Earlier instances of high percentages voting, such as the famous election in Philadelphia where in one district 108 per cent. (!) of those eligible voted, should be disregarded for obvious reasons.

<sup>3</sup> Municipalities eagerly claim the honour of being the first to try a successful method. Examples of this are the disputes between Dallas and Des Moines as to which first combined direct government and commission government, and between Denver and Chicago for the honours of initiating the juvenile court. The 'Gary Plan' of school administration, the 'Dayton Plan' of city manager government, etc., bear witness to the same tendency.

<sup>4</sup> pp. 296, etc.

as conspicuously open-minded in their pride as the departments are in their studies. The pride rests upon a comparison. There is pride on the part of English cities as well, but it is of a different nature—seldom, if ever, extending to the bulk of the inhabitants.<sup>1</sup> Largely confined to the councils, it takes the form of approbation of their own acts (particularly at the approach of elections). It is not pride as the result of comparison with others; it is rather the result of introspection. Thus the greater degree of local freedom in America seems to have produced a pride not altogether unwholesome, and one that is based largely on municipal rivalry. This is more lacking in the case of the English cities, which are severely restrained in the matter of attaining maximum development.

§ 21. *Civic self-reliance.* The lesson from the history of the cities of the two countries points to the greater degree of self-reliance of the free city. The greater measure of self-reliance noted in the United States<sup>2</sup> doubtless, in a large degree, arises from the more adequate resources, as well as from the encouragement given to its exercise. Yet in itself this fact points to how much the case for centralization confuses cause and effect, when that case is based upon local inactivity. Financial stringency hampers local activity. This local inertia may even lend colour to the case for central aid and central control; but once this policy of central aid with control had been entered upon, the self-reliance of the British cities seemed to be so undermined that aid for new functions was seldom sought from local effort, but by

<sup>1</sup> It has been claimed that Glasgow is an exception to this (*Municipal Glasgow*, p. 2). If this be true, it should also be remembered that Glasgow—thanks to a large 'Common Good' as well as to the normally greater freedom from central supervision of the Scottish city—has been in an unusually favoured position to develop municipally. The 'Common Good' of a Scottish city comprises the revenue from corporate property. The cities are not usually restricted as to its use.

<sup>2</sup> Cf. pp. 325, 401, 404 ff.

petition to Parliament for further grants. Such a desire to rely upon external sources, long and consistently continued, has bred a habit of thought which alleges in each function, new and old, the responsibility of the central government for the financial burden.<sup>1</sup>

It has often been urged that large responsibility attracts large men. There has certainly been a steady increase in the calibre of American mayors and commissioners which has coincided with their growth in responsibility.<sup>2</sup> Part at least of this growth has been in the form of an enlarged degree of local autonomy. It is difficult to speak in general terms about the calibre of recent British councils, though evidence would seem to show that there has been no improvement.<sup>3</sup> Placed side by side with the evidence of gain in America—even when allowance is made for other factors—there is reason to suppose that the extension to the British cities of a far larger measure of control in matters of policy as well as of detail (to an extent parallel to the freest American cities) would challenge the interest, ambition, and spirit of public service of the highest type of British citizen to a degree which the present municipal service does not so challenge.

Finally, may be proposed the more comprehensive test of the strength of local initiative, or rather, the test of the location of the initiative. In the United States an increasing percentage of expense for all functions (new and old) is borne directly by the cities.<sup>4</sup> This points to a local self-government growing yearly more vigorous. The emancipation of American cities from misrule has been largely the result of their successful fight for

<sup>1</sup> Cf. pp. 400-403, and references to *Annual Reports and Meetings of the Association of Municipal Corporations*.

<sup>2</sup> Cf. pp. 280-286.

Note also that the early decline in the calibre of the council in American cities (pp. 12 f., 18 f., 110) coincided with its lessened power both through state interference and encroachment of the mayor.

<sup>3</sup> Cf. p. 371 f.

<sup>4</sup> Cf. pp. 325, 315, and Appendix Q.

autonomy,<sup>1</sup> and the internal power thus developed has been set free in functional channels. American cities developed sound budgetary procedure in advance of the states or the nation, and this development coincided with extension of freedom.<sup>2</sup> Voluntary organizations concerned with matters of education, health, recreation, etc., are arising in increasing numbers and concentrating the larger part of their effort on the local authorities, where the initiative largely rests. Local initiative is increasing its strength in the United States, and in each achievement finds inspiration for further effort—for each achievement has been *voluntary* and has rested on the firm support of local opinion.

In the services of the cities of the United Kingdom, the initiative seems to be passing to the central government. The new services undertaken since 1910, and even earlier, were introduced only by means of increasingly large central subsidies.<sup>3</sup> Unquestionably the rating system is a powerful—perhaps a more powerful—factor in bringing about the very definite shift of initiative to the central government in England. Yet American cities have at times faced financial stringency, and not yielded their initiative or their self-reliance. British cities have so long been made subordinate to national interests; have so long been denied adequate local sources of revenue; have lost so much of their margin of discretion; and have been driven so to rely upon centralized thinking: that popular interest in their government is weak and perhaps growing weaker; that the calibre of their councils is not keeping pace with the amount of administration; that their municipal pride is limited in its chances of development; that local initiative is seriously weakened, and local financial self-reliance has almost vanished. Even the spirit which resisted these encroachments is so far weakened that it has been translated into a demand for

<sup>1</sup> pp. 148, 265, etc.

<sup>2</sup> pp. 67, 328 ff., 88 ff.

<sup>3</sup> Cf. p. 372 f.



more central aid, even though control is the accompaniment.<sup>1</sup>

§ 22. *General conclusion.* While there are undoubtedly loopholes in each of the tests which have been attempted;<sup>2</sup> yet, all in all, the coincidence between local freedom and local progress is too universal to be accidental. Isolated arguments here and there may possibly be explained away; but the advocates of centralization run counter to a number of phenomena, to all of which they must put an interpretation contrary to the one which has seemed obvious. One now seems justified in suggesting the general type of central-city relationship most desirable.

It is true that national interest must take precedence; but this national interest seems best served by the combination of:

1. Central advisory departments: to assure merit in their advice.

2. City home rule: to assure a vigorous local self-government.

In general this combination will bring the best functional development, because it rests upon local volition in acceptance of central guidance where the latter is needed. The whole (the nation) is but the sum of its parts (the localities); and if it fails to grant to these localities the freedom requisite to their vigorous development, it cannot itself fail to be the less strong thereby.

#### LIMITATIONS OF DECENTRALIZATION

§ 23. *Stages in functional freedom.* Yet this is not all. Here and there has been evidence pointing in another direction.<sup>3</sup> The necessity of an inclusive interpretation

<sup>1</sup> Cf. pp. 408, etc.

<sup>2</sup> e.g. The difference in national resources would seriously affect the validity (if it stood alone) of the post-war data. Abstention from voting in England often takes the place of a protest, and in itself is accordingly in the nature of deliberate exercise of the franchise rather than an indication of indifference.

<sup>3</sup> pp. 461, 466, etc.

forces a consideration of possible modifications or limitations of the general conclusion.

Perhaps the first modification that would suggest itself arises in the case of certain functions where the national interest is predominant. The difficulty of drawing a satisfactory line between local functions and central functions locally administered, has already been suggested. In most cases it now appears unnecessary to draw such a line, in view of the general disposition of the localities to perform most functions willingly and well, if left free and in possession of adequate resources. However, it has frequently been pointed out that there is a strong national interest in education, health, social welfare, poor relief, and police and justice; and that such interest is present, though to a less degree, in municipal trading, recreation, and highways. The comparative study of the two countries would seem to show that cities with financial resources may be trusted with substantial autonomy in at least education, health, social welfare, municipal trading, recreation, and highways. The nation has an interest in these—perhaps the predominant interest—but this interest is best served by these functions being left to local autonomy.

The problem of poor relief is a difficult one. At this point, little can be said save to repeat the earlier suggestion<sup>1</sup> that all poor relief not left to voluntary agencies should be under the direct administration of the central government or of an intermediate area. A conflict between local policy and national welfare seems inherent in the nature of the function. It is an obscure function; local interest is often political, or may confine itself to keeping down the rates, with neglect resulting. Central supervision of local administration has brought evils of its own.

Police and justice are indispensable to the 'rule of law'; and the United States has yet to realize how grave are

<sup>1</sup> p. 465.

the consequences of the local vetoes, and of the politics and corruption of the law-enforcing machinery. Some method must be devised to assure that, in the numerous instances in which local public opinion may not approve national or state law, the law must none the less prevail. The advisability has already been suggested<sup>1</sup> of a policy whereby the general application of certain types of laws should be preceded by local option—yet there are obvious limits to this. The state can tolerate—nay, even encourage—local divergences in education policy or health administration; it can overlook occasional shortcomings in municipal trading or public welfare, in order to preserve local self-government; but it cannot tolerate divergences from its law, and it cannot overlook shortcomings in justice. *The first functions are matters of expediency; the latter are questions of the principle that makes government possible.*<sup>2</sup>

In poor relief (whether the local administration is purely voluntary or in the hands of the local authority) and in police, the ultimate solution can come only with a higher stage than has yet been reached in education. In the matter of police in particular, the ideal is a local community so convinced of the necessity of law and order that it would voluntarily carry out laws, even in the case of those to which it was itself opposed. This stage has not been reached (at least in America), and some method of central control must take its place. This should not be so strict as to render impossible the education that comes to a locality through actual participation in the control. The spirit and the letter that have marked the control of

<sup>1</sup> p. 506.

<sup>2</sup> Several of the American states have central control over the local assessment of property, where the latter is the basis of the state tax. This is logical because of the conflict of interest inherent in the possibility of competitive under-assessment. A better method is the complete separation of state and local revenues. New York has also had a limited success in securing uniformity of assessment through distribution to the localities of part of the state income tax on the basis of assessed valuation. Cf. pp. 318, footnote 1; 84 f.; 101.

the British Home Office seem the most satisfactory of the various possibilities. This form of control has been effective against defiance and acceptable as to discipline. It leaves policy—within the law—largely in the hands of the localities.<sup>1</sup>

Are extensions of central control in the determination of the best policy in matters other than police justified on the ground of limited local education? This general observation may be made: local autonomy in any function whatsoever depends upon the degree to which local knowledge has developed. For instance, in the primary function of education itself, where there have not been even the rudiments, central control is obviously necessary. Following this stage of central control, might come a stage of central encouragement, in which the subvention would play a large part. But the stage which the cities of both countries have attained is sufficiently advanced to allow them local freedom and local self-reliance in working out their education programmes. Similar reasoning leads to the same conclusion in most of the other functions.

In poor relief, the stage where the localities have education sufficient for autonomy has not been reached; and, at least in America, the present stage of education does not justify the existing local autonomy in the machinery of justice.

No hard and fast line can be drawn to show where the stage of control should end, and where it becomes wiser merely to encourage; or where education is sufficient to permit local self-reliance. Antagonism between central and local interests is not a static thing; it is a variable, varying with the stage of education—which in turn varies between functions. Yet in old and new functions, and in functions that may appear at some future time, it should never be forgotten that *self-government is itself a means of education—as well as its end.*

<sup>1</sup> This seems to have been less true in recent years.

§ 24. *Small cities.* The opinion is frequently advanced that, while a large measure of autonomy may be desirable for the larger cities, such autonomy should not be extended to the smaller ones.<sup>1</sup> The justification for central control is based largely upon the fact that the smaller cities cannot afford the experts which are at the service of the larger. This reasoning is based upon an *a priori* argument that the smaller cities would be less ready to co-operate with a central advisory department than with one armed with sanctions. It has already been pointed out that the advice given by the latter is less likely to be sound advice, while the experience of the United States has shown the small cities as ready—perhaps more ready than the larger ones—to take advice. If the converse is true in the United Kingdom, it may be that the unwillingness to take advice is itself the product of the greater degree of centralization which has been attempted in the case of these smaller cities. However, if there be justification for different treatment for smaller cities, it does not rest in their incapacity to hire experts, but must be based upon their inferiority of education, which has put them in the stage where central control or encouragement is necessary. There seems little evidence to show that this is the case.

§ 25. *Devolution an alternative?* Possible modifications of the general conclusions as to the correct adjustment in central-local relations in the event of devolution are concerned with the two main divisions—legislative and administrative control. In the matter of legislative devolution upon subordinate parliaments, the experience of the United States is illuminating: the neglect and the congestion are not so great, nor is there the extreme dominance of the national vision. Yet the legislators almost inevitably are smaller men, and the trouble seems to be that they are likely to be neither imperially nor

<sup>1</sup> This opinion was several times expressed in interviews by officials of the larger cities.

locally minded. The added ability to adjust local government to local conditions would seem to be counter-balanced by a temptation to too great detail. Experience alone could show how matters would develop in the United Kingdom; but the evidence of the United States, with its forty-eight 'parliaments', points no less clearly to the advantage of home rule, than does the United Kingdom with its one.

In administration, it has been the experience of England that control by an intermediate body is more apt to be resented than control by the central authority.<sup>1</sup> The department would, of necessity, have less wide experience, and the abuses, that have been noted in the Whitehall departments, would be in danger of being exaggerated. None the less, such intermediate departments are capable of giving advice, and the output of research seems likely to be greater with more than one central department.<sup>2</sup>

In general, then, devolution alters the relative emphasis of the factors leading toward the broad verdict for local autonomy, but does not alter the verdict itself.

§ 26. *Voluntary centralization.* There are occasional instances of centralization at the request of the localities.<sup>3</sup> These are not centralization, as understood here, but rest upon local volition which, in turn, might destroy its own creation. They are indicative of a need for certain types of centralization; notably to perform the examining, statistical, or standardizing function. Where such centralization has been voluntarily evolved, there would be justification for a central advisory department in another government jurisdiction, not possessing this type of

<sup>1</sup> Cf. pp. 209, 200. Note also the resentment expressed by non-county boroughs at being subject to control by the county councils (*Annual Meetings, Association Municipal Corporations*, 1891; 1892, p. 29; 1893, p. 22; *Annual Reports, A.M.C.*, 1890, p. 27; 1893, pp. 31, 32; etc., etc.).

<sup>2</sup> Because it assures more 'heads' who, after all, usually are responsible for the inception of research. More angles of approach would be secured.

<sup>3</sup> pp. 232, 94.

centralization, to approach the localities in the matter and to endeavour to secure their support for such a limited endowment of central power. As a general rule—there may be exceptions—it does not seem desirable to force cities into such an arrangement, unless a considerable majority are in favour. The principle to be borne in mind is that the strength of the whole rests upon the strength of its parts.

#### THE IMPLICATIONS OF CITY SELF-GOVERNMENT

§ 27. *The illusion of the 'short cut'.* Any legislative act but concerns a number of individuals, and must rest for its ultimate sanction upon their will. Initially, or at any given instant, progress may be given the appearance of acceleration by central mandate—yet if the various human beings concerned or the various communities involved are not convinced, further and still further mandates must be the rule—until the government becomes a kind of central dictatorship, and the local life is gone.

Each step taken by individual or local initiative means individual or local growth in consciousness and knowledge. Initially, the way is slower; ultimately, the results justify. It is easy, but it is also dangerous, to dictate reform or change in advance of individual or local willingness. It is difficult, but the gain becomes the greater, to raise a whole people to a conviction for progress. The ultimate wisdom of education rather than dictation has few better illustrations than in the question of the attitude of the central government toward its cities.

§ 28. *The principle of local freedom.* The general principles may be definitely summarized in the conclusion that, in all functions which it is intended shall ultimately be locally administered, local home rule and self-reliance should be extended to the limit compatible with the stage of popular education—bearing in mind also that this

education itself must in part result from experience in autonomy, including making mistakes. Save where national and local interests are clearly contradictory—owing to the present state of education—any central financial aid should be on the basis, not to secure supervision, but to aid in equalization, with perhaps incidental encouragement.

§ 29. *Recommendations.* Applied to the United States, this conclusion justifies continuance of existing trends in widely extending secondary and university education and city home rule. A complete extension of constitutional home rule in charter-making should be made in states which do not already possess it. Constitutional fiscal and functional home rule should be extended, so far as not conflicting with state laws.<sup>1</sup> Certain national tendencies (notably in education)<sup>2</sup> to buy a measure of control in national interests should be checked forthwith. The policy is dangerously attractive, and ultimately fatal. States should experiment with the grant-in-aid as a method of control of police.<sup>3</sup> The states should also experiment with complete central administration of charitable and correctional institutions, supplemented and aided by voluntary effort.

Applied to the United Kingdom, the conclusion suggests a definite commitment to a policy of progressive freeing of its cities—in other words a reversal of the present tendency. A tax on the capital value of land

<sup>1</sup> Constitutional amendments should be carefully framed to avoid legal difficulties. Cf. McBain, *Law and Practice of Home Rule*, for an exhaustive treatise on this aspect of the subject.

<sup>2</sup> Cf. p. 322. The effort to create a National Department of Education (with a large amount of money at its disposal to force local improvements) is definitely sponsored by the post-war Bureau of Education as well as by a large number of influential voluntary organizations.

<sup>3</sup> Moley, *Outline of Cleveland Crime Survey*, p. 35. The volumes of the survey are replete with recommendations looking toward the improvement of criminal justice. Local judiciary should not be required to run for re-election against another candidate, but should be subject to periodic referendum as to their recall.



could be substituted for the subventions to permit adequate and responsible financing. The Ministry of Health and the Board of Education should be made over into advisory departments.<sup>1</sup> They could retain powers of arbitration, and, in the case of the latter, examination as well. The cities would probably support the prescription of uniform accounts. All powers, save those specifically reserved, should be delegated by Parliament to the county boroughs. The national minimum of 'duties' should be low enough, so that such central subventions as are given the poorer sections will make possible their voluntary compliance. Any modifications of such procedure on the ground of definite conflict of interest should be considered in the nature of a temporary phase—to eventuate either into actual central administration (in the case of poor relief) or into local autonomy with advancing education (in the case of police, and perhaps other functions in the smaller boroughs and rural districts).

§ 30. *Finance and central control.* Considering once more the problem as laid down following the study of the sources of local revenue, one is now in a position to state that the central control, which was justified by the grant-in-aid, seems itself to be harmful as a general policy. Hence the extension of the power to tax land on its capital value seems to be advisable, not only on its own merits, but also in order to make possible release of the localities from the central control which has hitherto accompanied large subventions.

The source of strength of American cities in the past, as well as their hope for the future, is home rule. They have pursued devious paths under the influence of defective political theory and central tutelage, but the *will to return* was their own.

<sup>1</sup> The question of poor law control is a matter for high policy. Its consideration transcends the scope of this volume. Cf. pp. 461-465, for a brief statement of the problem.

These recommendations should also commend themselves on the basis of their large saving to the Imperial Exchequer.

British cities have great latent possibilities of local self-government that can be trusted. If given their freedom, the national as well as the local interests will be the better served. The heritage of the medieval 'city-state' is in eclipse, but the tradition and the Nordic instinct remain strong. Ultimately they must and should prevail.

## XII

### PUBLIC OPINION AND THE QUALITY OF GOVERNMENT

*The differences in race, mentality, religion, and social structure have left their traces upon city government—Great Britain is moving in the direction of political conflict; America, in the direction of compromise—British cities are greatly handicapped by the presence of privilege in the form of vested interests—Corruption in American cities had its root in the decline in respect for official position—It was invited by an irresponsible framework—American cities have exemplified equality of opportunity; British cities have shown the possibilities of the spirit of public service—The task of the city is to reconcile these two.*

#### THE EFFECTS OF POPULATION COMPOSITION ON THE CITIES

§ 1. *Introductory.* The discussion of the merely technical problems of city government is nearly complete; but before a comprehensive philosophical interpretation of the whole can be intelligible, there are certain more intangible matters worthy of notice. What, for instance, have been the elements governing the public opinion of each country with regard to cities? What have been the channels through which that opinion has evolved its will? What estimate can be passed as to the quality or tone of city government in each country, and why have there been such great differences in the matter of corruption? Problems of this sort are of themselves indefinite, yet the comparative study brings to light certain significant aspects.

The ultimate course and quality of city government

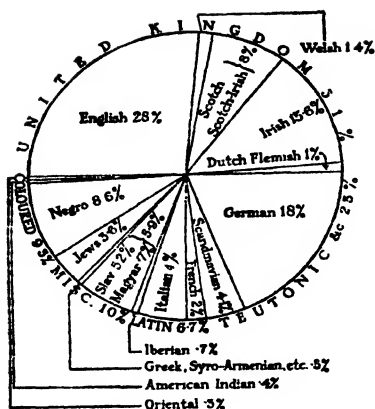
rest upon the character of the peoples. Through the history of each country the development of city government may be viewed as one of the revelations of the national character. It is worth while then to look behind the scenes and to strive to see something of this character—as far as city government has revealed it, and as far as it, in turn, has reacted upon city government.

§ 2. *Race.* The United Kingdom has been racially uniform in each of its parts, and as a whole represents much less extreme divergences than does the United States.<sup>1</sup> This fact tends to remove one of the principal reasons underlying a need for variety in framework. It is well known also that uniformity of race makes for a more settled state of affairs. More matters are taken for granted. Convention is stronger. Life is less dynamic and more complacent. All of these characteristics of a uniform race have had their part to play in the development of the cities. Law and order are the accepted thing (save in Ireland, where there is racial difference). There is less motive for search for ideas from other countries; as convention tends to stamp what is, as right. The life of the cities, their functional development, thus lack a certain picturesqueness, which a less uniform problem would develop.

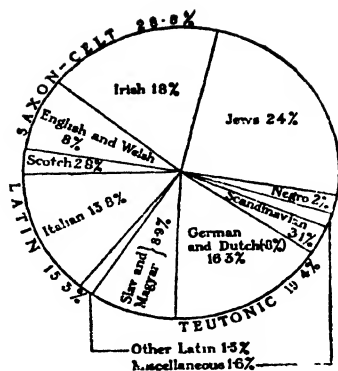
In the United States there is great diversity, as shown by the diagrams overleaf.<sup>2</sup> These reveal at a glance the problems involved and the meaning of the word *assimilation*. Health, education, police, all acquire new significance as city functions under such circumstances. The pressure of such diversity of ideals furnishes a challenge

<sup>1</sup> The Jewish colony in London and the Irish colonies in Liverpool and Glasgow represent the only major divergent groups. In 1911 there were 285,060 foreign residents and visitors in England and Wales. About one-third were from Russia and Poland (Newsholme, *Vital Statistics*, p. 49 f.).

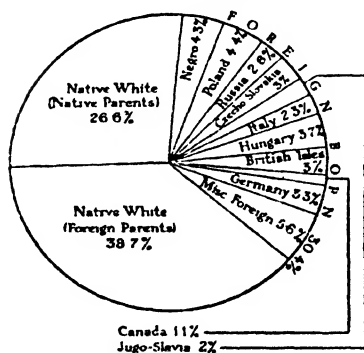
<sup>2</sup> Diagrams 1 and 2 are based on data from a variety of sources, chiefly U.S. Census Returns 1920, and immigration and religious statistics over a period of years. They are estimates only. Diagrams 3, 4, 5 are from the Census Returns data.



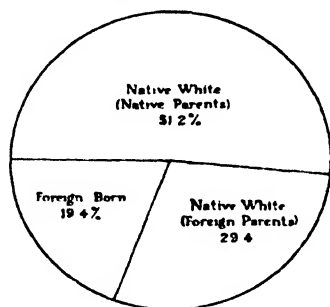
(1) Racial Stock—United States.



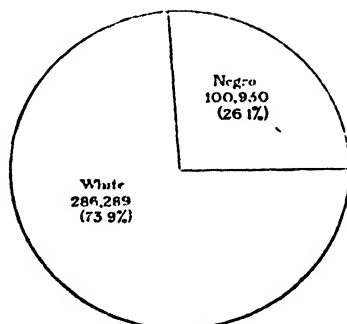
(2) Racial Stock—New York City.



(3) Birth Place—Cleveland.



(4) Birth Place—Los Angeles.



(5) Colour—New Orleans.

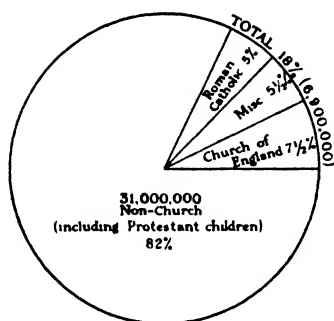
RACIAL STOCK—BIRTH PLACE—COLOUR.

## EFFECTS OF POPULATION COMPOSITION 605

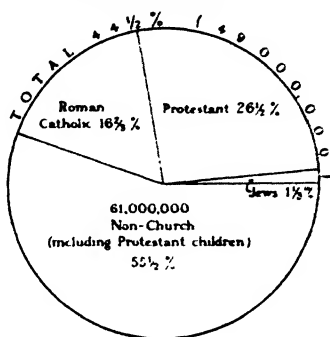
to all conventions, and is of itself a stimulus to open-mindedness and interchange of thought. The very magnitude of these problems arouses the city, and gives municipal life an 'electric' character that is of necessity lacking in a more uniform population.

### PERCENTAGE OF POPULATION WHO ARE COMMUNICANTS, ETC., OF CHURCHES.

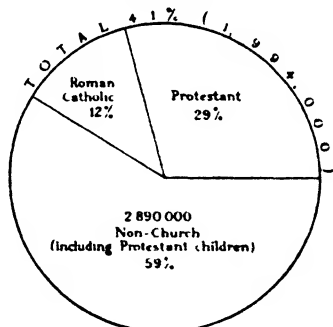
England and Wales



United States



Scotland



Data in these diagrams have been computed from *Whitaker's Almanac*, 1924, pp. 207 ff.; and the *World Almanac*, 1924, p. 202. Figures have so far as possible been reduced to a comparable basis. The inclusion by the Roman Catholics of the Catholic population gives a somewhat larger proportion for that body than would be justified by a basis similar to the other denominations.

§ 3. *Religion.* The religious composition of the population has also left its traces on city government. The effects of the religious difficulty on the schools of England

and Ireland are well known. Education in Calvinistic Scotland and Puritan America has been more free from such complicating factors. On the other hand, in the latter country, a large amount of sumptuary legislation has sprung from the 'Non-Conformist conscience' of the rural districts, which has often complicated the problem of law enforcement in the Eastern cities, where the electorate is often predominantly Roman Catholic. In the entire country the percentage of communicants of all denominations is about twice that of England. This may have been a factor in the greater amount of civic welfare work in America.

§ 4. *Class distinctions.* The more rigid class distinctions that mark the stable population of England have been suggested as factors in the educational system and in the paternalistic development of welfare legislation. The tradition of the governing class has died more slowly than its reality, but it has left an heritage of respect for official position and a spirit of *noblesse oblige* in office-holding that seem to gain in value by comparison with their opposite in America. However, England is pre-eminently a 'working-class' country, with living standards accordingly.

In all these respects there is a remarkable contrast with the United States. In the latter country class is not recognized politically, except that men are intolerant of any candidate that suggests class.<sup>1</sup> Jeffersonian and Jacksonian democracy gave short shrift to what was left of the old English tradition—destroying bad and good alike. As a consequence of this, and also due to the strength of the Calvinistic idea of a 'democratic church', class has had but little significance in education. The term 'working-class' is not used in America<sup>2</sup>—not because nobody works, but because practically everybody works; and because large numbers of the people look forward to advancing status for their children, if not for themselves. It is well recognized that the standard of

<sup>1</sup> Cf. pp. 115, 281.

<sup>2</sup> The term used is 'wage earners'.

living is remarkably high, but it is not so well recognized that it is high enough to make the United States pre-eminently a 'middle-class' country. The average real wage in purchasing power of the American workman in 1923 was 2.17 times that of the British workman.<sup>1</sup> The country as a whole, and most of the states, are governed by middle-class Non-Conformity; while the larger cities of the East are governed by mass Catholicism, often with an Hebraic tinge.

§ 5. *Mobility.* England seems to have approached a considerable degree of mobility of population. An excess of this mobility always characterized America. In both nations the mobility is most noticeable in the cities or from country to city, and may explain some of the more recent radical tendencies. Change of residence means a break with the traditional, and hence a weakening of the forces of conservatism. The stimulus which it gives to thought may contain the clue to much that appears radical in the great growth of altruism, education, etc., common to the cities in both countries. It seems evident that a divergence between city and country in both nations will tend to continue for at least a time—the cities taking the lead in radicalism.<sup>2</sup>

#### UNDERLYING MOTIVES AND THEIR EXPRESSION

§ 6. *Shifting of emphasis.* The story of the cities often brings out interesting sidelights upon the underlying play of motive in the two countries. 1870 found the struggle in the United Kingdom one between Liberal and Conservative, never very far from each other and each willing to compromise. Its statesmen boasted that they cared little for abstractions. Their pride was in being practical, in seeking a 'common-sense' solution. By 1920 this

<sup>1</sup> *Ministry of Labour Gazette*, March 1924, p. 107.

<sup>2</sup> Yet in 1920-4 in the American 'Middle-West' it was the country that was the centre of radical thought—typified in the Non-Partisan League, the Farmer-Labour Party, etc.



seemed to be changing somewhat. Where compromise once was, conflict appeared along with the rise of the Labour Party. The city was the centre of the change.

The United States in the '70's was in the midst of conflict. Radicalism v. reaction was the central issue of national as well as local life. Men fought for a 'formula'. Political theorists joined with the Non-Conformist middle-class to defend a 'principle'. By 1920 things seemed to be changing as reaction became less flagrant, and as liberalism tempered radicalism. The situation became full of compromises between the liberal West and the conservative East. The former experimented, the latter sifted.<sup>1</sup>

Yet any such attempt to analyze underlying motives suffers from extreme generalization. England has not yet forgotten how to compromise. Love of the crusade still lingers in America. It has become rather a question of 'Whither?' than of 'How far?' in both countries. Let American cities, before they forgo altogether their battles for clear-cut principles, study well the cost of the half-solutions in English city history.<sup>2</sup> Let English cities, before they leave the path of 'live and let live', strive to understand from American history how bitter to a city may be the results from two armed camps.<sup>3</sup> Each course involves its own dangers, each has its compensating advantages. If the dangers are understood, they may perhaps be avoided.

§ 7. *Party.* The two methods of organized expression of public opinion most prominent in city history have been the political party and the voluntary organization. In the English cities party lines on the whole are fairly closely drawn, but party has so long been associated with the public service that little evil results. Strictly speaking, emancipation from parties would appear to be easy,<sup>4</sup>

<sup>1</sup> Cf. pp. 332-334. <sup>2</sup> e.g. pp. 221 ff., 461-465. <sup>3</sup> Cf. pp. 149-157, etc.

<sup>4</sup> No party designations appear on the ballot. Nomination is by petition.

but the lack either of a deep interest in municipal government or of real municipal issues<sup>1</sup> has served to keep things much as they are. One wonders sometimes whether the penalty of moderately good government may be a lack of popular interest.

In the American cities party ties are weakening.<sup>2</sup> Their association in the past has been so much with corruption, that the war against the latter has cast party into a disrepute which would seem strange in England. This contrast suggests the hackneyed question whether non-partisanship is an advantage in city affairs.<sup>3</sup>

§ 8. *Voluntary organizations.* The rise of the voluntary organizations has been common to both countries—and there is little to choose as to the relative extent of their activity.<sup>4</sup> In the United Kingdom, it seems almost as though they are furnishing a channel for the energy once put into local self-government. In the United States, their old aspect of criticism is passing, and they are now devoting themselves to stimulus and co-operation. The vigour of their efforts in both countries suggests the inherent capacity of the North-European for organization. There are a number of interesting problems which arise out of the closeness of relationship between city government and these organizations, but their development is too recent to dogmatize concerning them.

#### THE QUALITY OF GOVERNMENT

§ 9. *Preliminary analysis.* The analysis thus far has seemed to strike an unfamiliar note. Not only have the

<sup>1</sup> In part due to the transfer of so much discretion to the central authority. This does not hold in London, where local issues are of sufficient magnitude to have a meaning.

<sup>2</sup> Cf. p. 333.

<sup>3</sup> Cf. articles in *National Municipal Review*, Jan. and Feb. 1924, on 'Party Politics in English Local Government', by J. J. Clarke. These deal with the question for American readers, and point out how party not only need not interfere with municipal welfare, but may advance it.

<sup>4</sup> pp. 374, 281, etc.

English become accustomed to thinking of American city government in terms of utter depravity, but Americans themselves have habitually considered Great Britain and Germany possessed of a good fortune in the quality of their city government, which they themselves might envy, but which they could scarcely hope to attain. Yet thus far the balance has seemed to point the other way, whether in functional development, framework, the rating system, or the relations with the central government. But there is the other and better known side, involving the discredit and the corruption under which many American cities still suffer.

Surveying the quality and the integrity of city government in the two countries, it may be said that each exhibits a sinister side and each a good side—and in each case, with that remarkable coincidence which has appeared throughout the study, the one is strong where the other is weak. The British cities have suffered from privilege; the American cities, from corruption. The lesson of America to Britain is *equality of opportunity*; of Britain to America, *the spirit of public service*.

It has been said that America differs from Great Britain only in the extent of her knowledge of corruption.<sup>1</sup> This is far from true, but does contain a suggestive thought. In every problem of evil, such as privilege or corruption, there is what may be called the 'no-man's land' of criticism—the place where the lines are drawn between the two sides, and where the issues are being fought out. For example, in industry, one would judge from the intensity and vehemence of the struggle, that American business exhibited more serious monopoly practices than other nations; yet a more intimate examination leads one to think that in Great Britain the problem has not yet even been recognized as a problem—and that actually America is twenty years ahead in the battle.<sup>2</sup>

<sup>1</sup> Howe, *British City, the Hope of Democracy*.

<sup>2</sup> In the U.S., combinations to fix prices, control of retail prices by the manufacturer, etc., would be subjects for court prosecution.

§ 10. *Privilege.* Thus it is in the matter of *privilege*. Privilege may be defined as the retention of any special advantage whatsoever which acts to the detriment of society as a whole. It is the antithesis of the spiritual meaning of democracy, and has a definite anti-social aspect.

Thus many of the American battles of democracy have been against privilege—the chief of which in the cities was the anti-monopoly crusade. In the United Kingdom, on the other hand, the extent and significance of privilege have been veiled under the ‘doctrine of vested interest’. Politically, this has preserved the House of Lords, and for a long time maintained the country gentleman in complete control of county government. Educationally, it has tended in the direction of keeping the universities and public schools the special province of ‘gentlemen’s’ sons, and the secondary schools safe for the middle-class. Socially, it has made caste rigid, and has discouraged hope of advance. Its cost to city government has been very great. The ‘right’ of vested interest is at the root of the sanctity surrounding land, and will be advanced as defence against any proposal to tax land on its capital value. Essentially, this attitude means that the landed interests believe that they have a right—from its long-standing acceptance as such—to resist a measure designed to advance social welfare. The same argument based on the ‘right’ of vested interest was used to create a vested interest in the public house,<sup>1</sup> so that monopoly value (the capitalized value of the special privilege) must be paid for any alienation in the interest of the people. On a similar basis are the market ‘rights’, and the requirement that municipal purchase of a trading undertaking must be paid for on the capitalized value of the monopoly which the state has granted.<sup>2</sup>

Pressed to its final conclusion, privilege, or the ‘right of a vested interest’, has no basis for existence in a

<sup>1</sup> Licensing Act, 1904.

<sup>2</sup> Cf. p. 182 f.

democracy, save when kept by the will of the majority for the good of the majority. Here the British tendency to compromise shows its weakest side. It has not attacked privilege; rather, it has tried to mitigate some of its effects. Instead of emphasizing equality of opportunity in education, which would permit individual self-reliance; privilege has evolved the mitigating device of social insurance—to permit the retention of status or a 'national minimum' of comfort. Instead of attacking some of the fundamental causes of poverty through taxing land, prohibition, suppression of betting, education; it has adopted a paternalistic attitude. The need is the obliteration of privilege, not its mitigation. In such a struggle few things would be more effective than the liberation, fiscally and functionally, of the greater centres of democratic power—the cities.

§ 11. *Corruption.* If privilege is anti-social, corruption is anti-civic. Political corruption is use of the machinery of government to attain individual profit at the expense of the common good.

There is more of this in British cities than is usually supposed, in spite of the fact that liquor policy, land policy, assessing, charities, and public utilities are largely removed from control by the municipal corporation proper.<sup>1</sup> All of these are among the most fruitful avenues of corruption in the United States. Yet, on the whole, it is probable that if they were put in the hands of the British municipal corporations, there would be less rather than more corruption. Such an endowment with further power would tend to attract better men. At present the danger seems to be that the small responsibility vested in the council is attracting small men—many of them with 'axes to grind'.<sup>2</sup> The tradition of public service is so firmly established, that it would doubtless be powerful enough—with the greater opportunity—to bring a greater sense of public obligation. The fact

<sup>1</sup> Cf. pp. 468, 421 f.

<sup>2</sup> Cf. p. 371, and Appendix B.

that this is so in the case of British cities has many elements of suggestive material for American cities in meeting their greatest problem—corruption.

Until corruption is banished from American cities (which it is not, as yet) the cities must remain a cause for national shame. Many theories have been advanced in the past to account for this corruption—all with an element of truth; but most of them suffer from over-emphasis of a single factor. The history of the British cities aids in determining the accuracy of these various theories.

§ 12. *Causes of American corruption.* The great differences between the cities of the two countries are their fiscal systems, their relations with the central government, and the respect with which office-holding is regarded.

The fiscal system is evidently not to blame for corruption; for the American system lessens privilege. The increased incentive for private speculation in land has never been more than an incident in corruption.<sup>1</sup>

A prominent British authority has attributed the corruption in American cities to their autonomy. The history of corruption and autonomy is sufficient to disprove this. Autonomy has been responsible for the salvation of the cities, not for their disgrace.

How far then does the differing respect for office-holding play a part? The historic background makes possible an answer to this.

Andrew Jackson rendered many services to America, but he rendered one great disservice in the blows which he struck at respect for official position. The doctrines of democracy in his time had become suspiciously near an interpretation of equality as equality of *ability*. This was a great contrast to the foundation of the English tradition of a governing class. The transition was easy from a belief in equality of ability to a feeling that, if one person was as capable as another, as many as possible should have the chance to hold office. No one man

<sup>1</sup> p. 139.

should be allowed to 'monopolize' an office. The psychological transition was somewhat more subtle—but it was very definitely the transition from the idea of its being an honour to serve to its being a chance to hold office. It was at this point that the 'spoils system' became, as it were, inevitable. What could be more logical than to evolve the plan of passing around the jobs to those who aided in electing the party ticket? It met with little popular disapproval, because the public believed in equality of ability, and seemed to feel that any one was capable of any office almost from the Presidency down. It was a comforting thought, but disastrous.

A respect for office-holding that surrounds the official with a kind of political halo has a profound effect on the official himself. It postulates *noblesse oblige*. In America this respect passed with the entry of the new democracy. Rotation in office and the spoils system destroyed well-nigh completely any feeling that office-holding involved obligations. Office-holding had come to be looked upon, not as a privilege, but as a reward or even as a right. *Noblesse oblige* is impossible in such an attitude. *This was and is the root of American political corruption; its converse is the reason for the high British standard.*

But in the days of Jackson corruption had not as yet seriously entered. The foundation of integrity had been removed; but, on the whole, integrity remained. How then did the opportunity as well as the situation come? Briefly, it came through the defective political theory of separation of powers, because (unlike the simple British charter) framework based upon this theory is inherently irresponsible. Accordingly, the cities needed a medium for correlation—which, not being provided in their framework, had to be found elsewhere. Correlation through party was the solution, and the spoils system provided the leverage to make it effective.

But even the root and the opportunity could not alone have brought corruption, though they were what made

it possible or even probable. Corruption ultimately springs from low American standards. Where England was law-abiding, America was and is lawless. The frontier tradition is ever for the rough and ready method; laws represent 'moral yearnings'; class justice and corruption attack the courts, and create a vicious circle. All of this is cumulative, and represents a national disgrace. The wave of materialism after the Civil War, and the indifference of even the better elements in times of general prosperity, were also fundamental factors in the whole problem. The genuine efforts at reform came only in times of business depression. The crisis years were 1873, 1884, 1893, 1903, 1908, 1920; the major reform waves began about 1873 and 1894. Minor reform waves occurred in 1885, 1903 and 1921.<sup>1</sup> It is all very well to say that decline in respect for office, defective political theory, etc., were responsible for corruption; but the ultimate responsibility rested, and still rests, upon American lawlessness, materialism, and indifference.

A further factor of ultimate responsibility is found in the ignorance and pliability of the immigrants and negroes. It is with these two groups that illiteracy is the greatest. The percentage among the foreign-born in 1920 was 13.1 and among the negroes 22.9, as compared with 2.1 among the native whites.<sup>2</sup>

More serious and giving deeper cause for reflection as to the ultimate hope of betterment, has been the revelation as to their mental calibre. Of the whites as a whole, the Army Intelligence Tests revealed 22 per cent. 'inferior' as compared with 80 per cent. of the negroes. The foreign-born as a whole registered 46 per cent. in this category, but the three nations which have recently contributed the largest number of urban immigrants registered as follows: Poland 70 per cent. 'inferior', Italy

<sup>1</sup> Cf. pp. 65, 146, 59, 252, 283, 29, etc.

<sup>2</sup> Census figures quoted in *World Almanac*, 1924, p. 184.



63 per cent., Russia 60 per cent.<sup>1</sup> The real meaning which this holds for American municipal government may be judged by studying these figures in connection with the diagrams on page 604. It would seem therefore that there is far more *potential* ability in the inhabitants of British cities.

Yet the sins of the immigrants and negroes, if sins they be, are not equal to the sin of their neglect by the better element. It is this which has driven them into the hands of the political boss.

Ultimately the city government can rise no higher than the intelligence and integrity of its people. There are grave problems yet left for Americans in these matters, to which even the recent city progress should not blind them.

Why then did corruption remain, once it had used, as well as found, its opportunity? There is no need to repeat the story of the part played by defective framework, particularly in the weaknesses in finance. The strength of power of the vested interests, to intimidate, to cloud the issue, to block efforts at reform by every questionable means, must give food for thought to England also, once she resolutely determines to root out privilege.

The whole power of the underworld was on the side of corruption—the unvenerated liquor interests, gamblers, commercialized vice, thieves. State interference kept local interest weak, and vitiated local successes. The dominance of considerations of national party welfare made many good citizens wink at the abuses of the local boss.

§ 13. *Solution of the corruption problem in America.* Admitting what seems now to be true, that the majority of the people are opposed to corruption, what are the prerequisites for relief from it? Certain remedies seem simple, and many have already been suggested. There

<sup>1</sup> Cf. Cannon, 'American Misgivings', in Feb. 1922, *Atlantic Monthly*, pp. 150, 155.

must be a responsive framework—a short ballot, a simple nomination process, publicity in finance—to make it possible to secure the people's will. The state must not interfere, partly in order not to hamper the reformer, but more in order to secure a vigorous consciousness. Local elections on local issues seem desirable, but the experience of England has shown that this is not essential to honest government. Civil service reform—i.e. permanence of appointive officials during good behaviour and capability—should accompany the abandonment of 'rotation of office' as a principle influencing elections.

Further than this, there is still much to be done to insure ultimate relief. Such relief can come only through an advancing public opinion, the result of education in three things. The first of these is interest in city government. Though the extent of this interest seems greater than in the United Kingdom, there is much left undone.<sup>1</sup> Secondly, Americans must learn respect for law. Till they have done this, the police departments and the courts cannot cease to be inherently corrupt—for *they cannot rise higher than the level of the nation, perhaps the majority of whose citizens believe they have an individual right to veto or disobey a law of which they do not approve.*<sup>2</sup> Thirdly and finally, the nation must be educated to a respect for office. There must be no unproved charges of corruption. There must be an assumption of honesty and of a desire to serve the public, till the contrary be proved. This will create a response from the office-holder, and will alone attract

<sup>1</sup> Cf. pp. 333-335.

<sup>2</sup> In the South large sections tacitly approve of lynching, and in all parts of the country there are many to defend the extra-legal activities of the Ku Klux Klan. There is more than a suspicion that violations of the anti-monopoly laws are frequent among business. 'Society' patronizes the 'bootlegger' and considers itself clever. The Socialists consider the 'right' of freedom of speech superior to the statute book. Laws against gambling, auto-speeding, and the social evil are often tacitly left unenforced—with the consent of many of the public.

a better type of man to run for office. All through the dark days of corruption, suspicion of the man in politics was the universal rule. It is still so in the East, and lingers on in spots elsewhere. The plea here is not a plea for blindness or for neglect of watchfulness. It is for a fundamental change in psychology. For with clarity of responsibility, the time has come when the people must trust their government more; must strive to pick the best men for the places which once were opportunities for corruption, but which are rightfully opportunities for public service. Till this respect for office, and this appreciation of its real meaning as a position of public trust returns, *there is no ultimate relief.*

§ 14. *The city as an agent for equality of opportunity.* What, then, of the better side of the cities in each country? Each carries its lesson for the sinister side of the other. When all is said, the American city has done remarkably well in putting into practice its belief that equality of opportunity is essential to democracy. It is this that gives democracy its anti-privilege aspect—a deeper thing than is at first realized. The city objects to one person having more educational advantages than another. It does not penalize the best; it strives to make that best available to all. The city believes in political equality.<sup>1</sup> It further believes its destiny to be that of a social agent; to bring social equality of opportunity—in welfare, recreation, etc.

This is the greatest lesson of the American city to Britain. The latter is at the parting of the ways, where she must decide between keeping privilege and mitigating it, or fighting privilege through the creation of equality of opportunity. Her cities were ever her most democratic units. Perhaps this very fact has been at the root of parliamentary distrust. Let the cities be *free*—fiscally, industrially, and otherwise. They may well be the agents

<sup>1</sup>This is not true in Southern cities, where the negro is largely disfranchised.

which will make England democratic. It is they—not Parliament—that seem more likely to create equality of opportunity.

§ 15. *The spirit of public service.* The better side of Great Britain is the spirit of public service.

The contrast of her permanent officials with the American city employees reveals how deep is the difference. Their tenure is secure, as long as they are capable. In other words, good service is recognized. They may look forward to pensions. These traditions the cities themselves established—not Parliament or the central departments—in the days before party feeling became intense. Municipal posts are no temporary affairs, as in the United States where, at their best, they are stepping stones and, at their worst, only opportunities for 'feathering the nest'.

Great Britain's elected officials serve well and without pay. Their spirit of public service was the strongest when the cities were the freest. Let England beware of the loss of this spirit, with lessened city freedom. Though this spirit was the heritage of the former deference paid to a 'governing class' yet respect for office and the sense of official obligation have continued in the cities. It is on account of its aid to respect for office that the dignity surrounding the old City of London is well worth the price that is paid. The City and its institutions should not be tampered with. They stand for perhaps the finest thing in British civic life—the feeling that there is a dignity involved and a responsibility as well, when one holds a place of rank in a city corporation. The City should stay—in spite of all its undemocratic character, at least till the time comes when democracy itself evolves through education an even higher concept—the simple dignity of being chosen by the people to serve them. Till the time—and that day has not yet arrived in the cities—when democracy shall recognize that there is much that was fine in the old order, all things which serve to enhance,

even artificially, the respect with which official position is clothed should remain.

Comparing the better side of the two countries, it would seem that America faces the harder task. In Britain's case, the cities themselves but require their freedom for the opportunity to fight privilege. In the United States, it is the cities that are the centre of the old evil—the heritage of the prostitution of public office. There is a long, hard task ahead for the cities of both countries; but the harder task is to teach democracy to choose right leaders and to respect them.

§ 16. *The future.* Are equality of opportunity and the spirit of public service incompatible? Thus far the gains of American cities in the direction of the latter have not been at any sacrifice of the former. Nor have the moves of British cities in the direction of equality of opportunity seemed to sacrifice much of the spirit of public service. The future must remain a question, but the problem is of supreme importance. The past history of the cities of both countries has been interesting and valuable, as each country has developed its better side as well as its worse. Their future history would seem to be of even greater significance, for each is trying to remedy its evil, without losing its good. That each has been strong where the other has been weak, involves for both the suggestion that mutual study, help, and interchange of thought can make the path of progress more easy, and the approach to the ideal more rapid.

## XIII

### THE SYSTEMS OF CITY GOVERNMENT

*English city development has been determined by parliamentary action and local financial stringency—American cities have been quite largely dominated by the business conditions of the nation—The economic foundations of the local revenue systems have governed the developments in centralization—The attitude toward class has been a prime factor in the differences with regard to privilege and the attitude toward office-holding—Distrust of the local authority is bad, whether originating from Parliament or from the people—The recommendations are summarized in the light of the analysis of the two systems.*

#### RÉSUMÉ

§ 1. *History.* The development of city government has now been traced, and its bearing upon pending problems analyzed. In addition, an attempt has been made to indicate a few of the more important factors in public opinion, which have reacted upon the character of city administration. Before summarizing the recommendations for the cities of each country, one must gather up the various strands, and pass beyond the individual problems of city government, in an endeavour to comprehend the problem as a whole. How far does the situation in each country constitute a *system of city government* possessed of appropriate component parts?

It is not wholly true to say that the cities of the two countries started with a common heritage. Though possessed of a common legal basis and the common instinct for local self-government, the political thinking of

the Colonists was strongly coloured by Calvinism and other forces which made for a greater democracy than existed in English cities.

American cities enjoyed an initial advantage, due to their freedom from the parliamentary interference which had caused the eclipse of local self-government in the British boroughs. For a time this superiority gave promise of being permanent. However, by the middle of the last century, the unconscious operation of 'separation of powers' and of misapplied democracy had reduced the cities to a position of disgrace. The decay was rendered complete by the subordination of the cities to the partisan ends of the state legislatures.

The movement for civic emancipation was local in origin. Its successes were the most marked where the cities were freed, or where defects in political theory were permanently remedied. Factors contributory to civic betterment were the democratic schools, the wide range allowed for local experiment, and the system of local taxation.

The United Kingdom released its municipalities from partisan and parliamentary dominance in the first half of the last century. Since then there have been fluctuations in the vigour of city self-government, which have been determined in part by the extent of centralization, and in part by the ever-present financial stringency. The simple lines on which the Municipal Corporations Act of 1835 was drawn, for a long time stood the cities in good stead. Only recently has this framework suggested the need for a more concentrated executive.

§ 2. *Forces governing the historical development.* The fluctuations in British city development have followed quite closely the four great changes in the parliamentary franchise—1832, 1867, 1884, 1918. Each of these reforms was followed by a considerable measure of parliamentary attention—if not to local government—at least to its functions. It has been this parliamentary or

functional dominance which in so large a measure has accounted for the sporadic or uneven character of British city government development.

Aside from the drastic changes which were consequent upon the additions to the electorate, there have been many evidences of another and more rhythmical movement dependent upon finance. It is normal for a city to expand its functions. Such expansion means rising costs. Under the inelastic British rating system the pinch is soon felt and expansion becomes less rapid—till an increase in central subventions makes possible a further release of local energy. The supervision which has generally accompanied such central aid has apparently undermined local initiative, so that both the originating and the curtailment impulses give promise of becoming largely central. If this process is continued it will cause fluctuations in local functions to rest almost wholly upon the central will.

The extreme form in which the United States has exemplified both devolution and decentralization has caused the cycles of its city development to depend upon a set of circumstances very different from those which underlay the course of British cities. The local revenue system has been much more elastic, and hence financial stringency has scarcely been felt—save in the wake of a severe business crisis or financial panic. The periods of deflation have been the ones which have set in motion the forces of reform. City government in America has followed the business cycle.<sup>1</sup> If the progress of late has been more consistent and less sporadic, the fact can largely be accounted for by two circumstances—the sounder character of the later charter changes, and the steady rise in the general level of education.

#### ANALYSIS OF THE TWO SYSTEMS

§ 3. *Problems of city government.* Essentially, a city government is an institution for the performance of

<sup>1</sup> Cf. p. 615 ; also footnote 1.



certain functions. To the extent that the city government is under the control of its citizens, the performance of these functions gives training in the exercise of political power. A machinery to perform the functions, and a source of revenue to finance them, are corollaries of the functions themselves. In a self-contained city-state the functions, framework, and finance would be wholly subject to local determination; but in the cities of the present day the control of each of these three is shared by the central government. This introduces a fourth problem—the problem of distribution of control between local, intermediate, and central authorities. To these must be added the more descriptive problem of the quality of administration and the underlying problem of public opinion. These six constitute the elements of city government. How has each country combined and related them? Are there evidences of a system?

§ 4. *The English system analyzed.* The fundamental facts in the development of English cities appear to be the absence of a land tax and the presence of sharply drawn class distinctions. The economic basis of the city revenue is thus essentially unsound. This has resulted in great financial stringency, and in the 'ratepayer's psychology'—which together have stunted any functions not benefiting rateable property. With this fact in mind, central aid appears in the light of a palliative for the unsoundness of the revenue system. Central stimulus or supervision becomes an attempt to counteract the narrowing tendencies which the financial exigencies force upon the ratepayer. It has been shown that this is self-defeating.

The results of the class system divide themselves into two main groups. The first group has arisen out of the tradition of a governing class. This has become more than tolerable, owing to the spirit of public service which has accompanied it. Out of the respect for the law-giver has come the respect for the law itself. The other

## ECONOMIC

*United States.*  
**LAND TAX.**

↓  
Ample Revenue

↓  
Civic Generosity

↓  
Civic self-reliance  
(National interests looked  
after voluntarily)

↓  
City home rule

↓  
Interested electorate

*United Kingdom.*  
**NO LAND TAX.**

↓  
Pinched Revenue

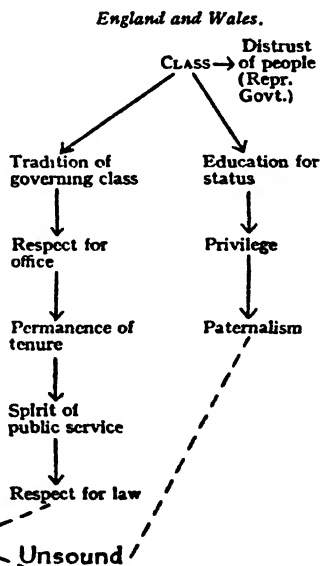
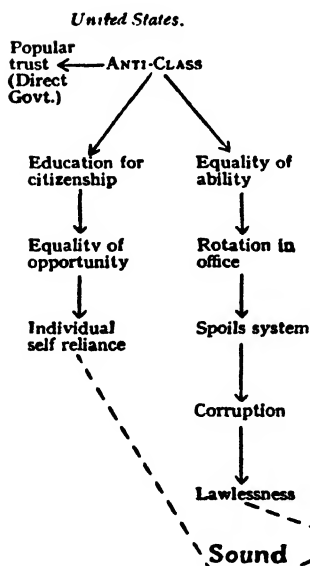
↓  
'Ratepayer's psychology'

↓  
Central aid, where  
National interests  
might be neglected

↓  
Central supervision

↓  
Apathetic electorate

## SOCIAL



DIAGRAMS ILLUSTRATING SECTIONS 4, 5, AND 6.

group has been less reassuring. If one class is to govern for all, and if caste is to be rigid, then education becomes an affair of status. Social and economic privileges are the rightful prerogatives of the classes that possess them, and any attack upon these privileges is likely to be called 'confiscation'. Privilege may be mitigated, but not removed. The evils of poverty, bad housing, disease, ignorance, have been too patent to be neglected. As the localities have been checked by an unsound rating system from undertaking the remedy, Parliament has been forced to come to the rescue. Parliament has been in the hands of a governing class which is jealous of its privileges. In such a situation paternalism becomes inevitable. The fact that the effort is central rather than local is itself a force contrary to individual self-reliance, especially when the legislation has been so much in the hands of a privileged group. Paternalism has become inevitable because England has placed the emphasis upon government *for* the people, not *of* the people.

§ 5. *The American system analyzed.* The economic foundations of the American cities are on sounder lines. The land tax has brought ample revenue. With the ample revenue has come a civic attitude of generosity. This has permitted civic self-reliance, which in turn has rendered central supervision unnecessary. The tax on the capital value of land is at the root of the administrative home rule, which has made the local interest so keen. As the state and nation have become more self-conscious, they have found the cities voluntarily undertaking many of the functions essential to the welfare of the state.

The anti-class doctrines of Jeffersonian and Jacksonian democracy brought mixed results. The unsound thinking which upheld equality of ability was a prime factor in developing the belief in rotation in office and the spoils system with their inevitable corruption and lawlessness. On the other hand, this type of democracy guided education toward an emphasis first upon citizenship and

then upon equality of opportunity. The closer the approximation to the latter, the more possible became a social system based upon individual self-reliance.

§ 6. *The systems compared.* The above analysis is in the barest of outline. The number of complicating or extraneous factors in each country has been large. Two of these deserve passing mention. 'Separation of powers' obscured responsibility to the electorate, but has rightly emphasized the importance of a strong executive in any administrative problem of great complexity. The 'common sense' solution has kept England from any such highly doctrinaire experiment as 'separation of powers', but the price paid has been great—particularly in financial adjustments between central and local authorities.

Returning to a comparison of the two main lines of analysis—the economic and the social—the foundations of the American system appear to have been more correct. The unsound local revenue system of England has led to a whole series of unfortunate consequences, the most insidious of which in its undermining effect upon local self-government has been the same central aid and central control which were designed to relieve the hard-pressed local authorities.

The differing social systems of each have within them a truth and a falsehood. The error of England has been the assumption of status, which in effect constitutes a denial of the efficacy of individual self-reliance. The error of America has been the assumption of equality of ability, which has rendered respect for the office-holder almost impossible. The strength of America has been the emphasis upon equality of opportunity, which is essentially opposed to privilege. The strength of Great Britain has been the emphasis upon the dignity of public service, which has created an atmosphere where corruption is wellnigh impossible.

## PHILOSOPHICAL FACTORS

§ 7. '*Government by distrust*'. Distrust in the forms peculiar to each country now becomes more comprehensible. In England, it is the people and the popularly governed localities that are distrusted by the governing classes in Parliament. This distrust rests upon the conviction or tradition that the most intelligent are always the most capable of attending to the details of government. Centralization, both legislative and administrative, has been the result.

In America, the people, who are suspicious of any show of superiority, and who have been bred in doctrines of popular sovereignty, distrust those in official position. 'Checks and balances' and the devices of direct government have been the result.

'Government by distrust' has not been a great success for the cities in either case. It has more frequently tended to create the situation it postulates—in England, an irresponsible local authority; in America, a corrupt city government.

## RECOMMENDATIONS

§ 8. *The aim of city government.* After this final analysis of city government, one is better prepared to present in summarized form the principal recommendations that have from time to time been suggested.

*The aim is to develop each city into an intelligent, self-reliant, self-governing community; that will voluntarily seek, through the medium of an honest and efficient local government, not only to perform the ordinary services of a communal life, but also to approximate equality of opportunity for its citizens and to guide the political, social, economic, and intellectual development of these citizens in the manner best suited to strengthen the nation.*

§ 9. *Recommendations for American cities.* The United States should concentrate its efforts upon the removal of

the weak phase of its opposition to class—namely, the assumption of equality of ability. This would involve appointing such officials as are not suitable subjects for choice by popular election—in other words, the ‘short ballot’. More fundamentally, it means a reconstruction of the whole attitude toward office and office-holding, toward the law-maker and the law. The evil is easy to point out, but difficult to remedy.

Except for this, American cities seem to be building upon sound foundations—flexible revenue, home rule, and equality of opportunity. The first of these three is in little danger, but more use should be made of a provision for partial exemption of improvements. The second seems to be gaining in favour, but too few states have actually incorporated home rule provisions in their constitutions. There are also evidences that the principle may be threatened from a more insidious enemy than the old legislative interference. This threat lies in the Federal grant-in-aid. The experience of England should prove a warning. The third assumption of equality of ability is as great an enemy to equality of opportunity as privilege ever was. The American democracy, with all its efforts to make education available to all, has failed to realize that the individuals to whom opportunities are extended are utterly diverse in their natures and in their capabilities as well as in their ambitions. It has too often sought to mould all to a type, to enforce conformity. Once the fallacious part of the anti-class philosophy has been removed, the sounder part will be better able to render its service.

§ 10. *Recommendations for British cities.* In the United Kingdom the fundamental economic need is to make the tax on the capital value of land available to the cities. This should be combined with the removal of subventions and central supervision (subject to the exceptions previously noted).<sup>1</sup> In addition, legislative home rule

<sup>1</sup>Cf. p. 600.

should be extended through endowment of the cities with charter-making power and control of functions so far as compatible with national law. This combination of local freedom and adequate resources will cause the evils of the existing system to be brought within the range of local remedy. Education for citizenship should then supplant education for status. Efforts toward equality of opportunity will then replace economic privilege. Paternalism will yield to individual self-reliance. The *cities* may be expected to accomplish these results, for the cities have sought the right to make secondary education free and to obtain powers of taxing land. It has been Parliament (where privilege and paternalism have been more entrenched) that has blocked these reforms.

Local freedom would develop charters more capable of adjustment to changing circumstances than is the present Parliament-made framework. The central department, almost wholly advisory under the proposed plan, would be more inclined to engage in research and accordingly more able to render intelligent advice.

If there be a case for centralization in England, it rests upon defects in the revenue system, in the framework, in the method of solution of the problems of area, and in the low general level of education. It is the revenue system that causes the cities to be disinclined to undertake many functions which minister to the national interest. The framework obscures the educational function, does not assure that it will be administered by specialists, and hence causes it to be neglected locally. It has proved extremely difficult for many cities to obtain much needed annexations, and to enjoy the consequent stimulus to vigorous municipal life. Secondary education is stunted through the existing basis of award of central subventions. The remedies for these and the consequent release of local energy have already been suggested. These same remedies can be *better carried out through home rule*. In

each case the defect itself has been caused or retained by *Parliament, usually in contradiction to the expressed will of the cities.* The case for centralization rests upon defects which centralization has itself created.

Direct government should be introduced in charter changes and annexation. Other extensions of direct government should be preceded by appropriate advance in education.

In the not too distant future these methods, if adopted, should furnish solutions to many of the problems of housing, local financial stringency, undue rise in governmental costs, inefficient municipal administration, and indifference and narrowness of city self-government. In addition, substantial contributions should have been made thereby toward the creation of equality of opportunity, lessening of poverty, and the political education of the electorate.

§ 11. *Comparison of recommendations.* The situation in British cities appears more complex and difficult to remedy than do the evils of American cities. In reality, it will probably prove to be otherwise. The cities need only their *freedom* to consummate their own remedy; while in America the chief difficulties are psychological, and have consequences and ramifications beyond the cities alone. Human nature must itself be changed, so that it will regard city government in the spirit of the Colonial days and in the spirit which the English city has never lost—the spirit of mutual respect of the electors and the elected for each other.





**PART III**  
**APPENDICES**



APPENDIX A  
BIBLIOGRAPHY  
(Of Works Consulted)

*Outline :*

A. GENERAL.

- (1) Historical.
- (2) Descriptive.

B. PARTICULAR ASPECTS :

- (1) Legal. (Chap. VII.)
- (2) Functions. (Chap. VIII.)
- (3) Framework. (Chap. IX.)
- (4) Finance. (Chap. X.)
- (5) Central-Local Relations. (Chap. XI.)
- (6) Public Opinion and Quality. (Chap. XII.)

C. DOCUMENTS.

D. PERIODICALS, BIBLIOGRAPHIES, ETC.

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## APPENDIX B

### 1870-1922—OCCUPATIONAL STATISTICS—LIVERPOOL, LEEDS, BIRMINGHAM MUNICIPAL COUNCILLORS.

The data following are taken from the directories and year books of the three large cities which have given the occupations of councillors at all the dates included. The classifications adopted are quite arbitrary and are the author's own. Unfortunately occupations are not uniformly recorded in the year books. 'Miscellaneous-substantial' includes an increasing number of real estate agents. 'Commerce' includes shipping, banking, etc.

The omission of certain groups from the 'Public Service' category must not be held as necessarily reflecting upon the motives of those who are so omitted. Particularly in 5, 6, 7 are many men of the highest type. On the other hand these groups certainly include many who consider a public position an advantage to their business.

Corresponding data from two smaller cities, Bolton and Oldham (1922), show a larger percentage 'Unsubstantial'. The figures are as follows: Public Service, 20%; Other Substantial, 27%; Wine, Spirits, etc, 3%; Unsubstantial, 34%; Labour, 14%; Unclassified, 2%.

## APPENDIX B

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## LIVERPOOL.

	1870	1880	1890	1900	1910	1922
1. Gentlemen, Esquires, etc. -	23	16	5	7	8	14
2. Manufacturers - - - -	4	5	2	7	9	3
3. Commerce - - - - -	11	11	13	19	20	9
4. Women - - - - -	0	0	0	0	1	4
5. Professional - - - -	11	9	9	16	28	18
6. Merchants - - - - -	9	9	10	10	12	24
7. Misc. Substantial - - -	0	2	5	11	16	12
8. Wine, Spirits, etc. - -	5	2	3	5	4	6
9. Tradesmen - - - - -	1	2	10	19	26	29
10. Misc. Unsubstantial - -	0	2	1	7	6	12
11. Artisan and Labour - -	0	0	0	1	2	12
12. Unascertained, etc. - -	0	6	6	10	5	5
Totals - - - - -	64	64	64	112	137	148

## BIRMINGHAM.

	1870	1880	1890	1900	1910	1922
1. Gentlemen, Esquires, etc. -	8	13	12	6	10	7
2. Manufacturers - - - -	20	26	17	26	22	21
3. Commerce - - - - -	3	1	0	1	0	4
4. Women - - - - -	0	0	0	0	0	6
5. Professional - - - -	5	8	10	11	16	16
6. Merchants - - - - -	7	4	6	2	3	5
7. Misc. Substantial - - -	1	1	3	4	4	5
8. Wine, Spirits, etc. - -	4	0	1	0	0	2
9. Tradesmen - - - - -	11	6	9	14	10	16
10. Misc. Unsubstantial - -	2	1	0	0	0	4
11. Artisan and Labour - -	2	1	5	6	5	27
12. Unascertained, etc. - -	1	3	1	2	2	7
Totals - - - - -	64	64	64	72	72	120

## LEEDS.

	1870	1881	1890	1900	1910	1922
1. Gentlemen, Esquires, etc. -	6	13	8	3	1	3
2. Manufacturers - - - -	11	14	8	10	11	5
3. Commerce - - - - -	1	0	1	0	2	4
4. Women - - - - -	0	0	0	0	0	3
5. Professional - - - -	0	4	5	9	15	13
6. Merchants - - - - -	6	6	5	2	2	0
7. Misc. Substantial - - -	5	5	8	2	4	1
8. Wine, Spirits, etc. - -	0	5	3	6	0	0
9. Tradesmen - - - - -	23	9	8	9	10	8
10. Misc. Unsubstantial - -	4	5	10	10	6	3
11. Artisan and Labour - -	5	3	7	13	12	21
12. Unascertained, etc. - -	3	0	1	0	1	7
Totals - - - - -	64	64	64	64	64	68

## COMBINED STATISTICS

	1870 — %	1880-1 — %	1890 — %	1900 — %	1910 — %	1922 — %
1. Gentlemen, Esquires, etc.	37 (19.3)	42 (21.9)	25 (13.0)	16 (6.5)	19 (7.0)	24 (7.1)
2. Manufacturers -	35 (18.2)	45 (23.4)	27 (14.1)	43 (17.3)	42 (15.0)	29 (8.6)
3. Commerce -	15 (7.9)	12 (6.2)	14 (7.3)	20 (8.1)	22 (8.1)	17 (5.1)
4. Women -	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (0.4)	13 (3.9)
5. Professional	16 (8.3)	21 (11.0)	24 (12.5)	36 (14.5)	59 (21.6)	47 (14.0)
6. Merchants -	22 (11.4)	19 (10.0)	21 (11.0)	14 (5.6)	17 (6.2)	29 (8.6)
7. Misc. Substantial	6 (3.1)	8 (4.2)	16 (8.3)	17 (6.9)	24 (8.9)	18 (5.3)
8. Wine, Spirits, etc.	9 (4.7)	7 (3.6)	7 (3.6)	11 (4.4)	4 (1.5)	8 (2.4)
9. Tradesmen -	35 (18.2)	17 (8.9)	27 (14.1)	42 (16.9)	46 (16.5)	53 (15.8)
10. Misc. Unsubstantial -	6 (3.1)	8 (4.2)	11 (5.7)	17 (6.9)	12 (4.4)	19 (5.6)
11. Artisan and Labour -	7 (3.6)	4 (2.1)	12 (6.2)	20 (8.1)	19 (7.0)	60 (17.9)
12. Unascertained, etc. -	4 (2.0)	9 (4.7)	8 (4.2)	12 (4.8)	8 (3.0)	19 (5.6)
Totals - - -	192	192	192	248	273	336

## SUMMARY OF PERCENTAGES

	1870	1880-1	1890	1900	1910	1922
"Public Service" (1, 2, 3, 4)	-	51.5	34.4	31.9	30.5	24.7
Other Substantial (5, 6, 7)	-	25.2	31.8	27.0	36.7	27.9
Wine, Spirits, etc. (8)	-	4.7	3.6	4.4	1.5	2.4
Unsubstantial (9, 10)	-	21.3	19.8	23.8	20.9	21.4
Labour (11)	-	3.6	6.2	8.1	7.0	17.9
Unclassified (12)	-	2.0	4.2	4.8	3.0	5.6

## APPENDIX C

## THE DEVELOPMENT OF COMMITTEES

(LIVERPOOL, LEEDS, BIRMINGHAM, BRISTOL)

	1870	1880	1890	1900	1910	1922
Committees (Liv., Lds., Birm.) -	41	42	40	45	58	71
Sub-Comts. (Liv., Lds., Birm.) -	?	?	?	?	127	188
Committees (Lds., Birm. only) -	32	34	30	31	39	44
Sub-Comts. (Lds., Birm. only) -	55	66	73	83	89	141
Coordinating Comts. (Liv., Lds., Bris.) - - - -	5	5	4	4	4	10
Committees (Birmingham) -	13	16	16	16	20	24
Sub-Committees (Birmingham) -	17	33	38	37	52	102

Data compiled from Municipal Year Books. Ward and visiting sub-comts. are omitted. Leeds figures are for 1881 and 1891. No data for Liverpool sub-comts. before 1910.

It is interesting to note the changes in one city (Birmingham) in greater detail. Where there has been no change during the decade, a committee is merely referred to by the number of the preceding decade. Comts. are indicated by numbers; Sub-comts. by letter.

1869-70.—1. Baths and Parks (*a*) Baths, (*b*) Parks. 2. Estate and Bldgs. (*a*) Town Hall, (*b*) Rents. 3. Finance, Rate and Appeal (*a*) to examine accts. 4. General Purposes (*a*) To Examine Accts. 5. Market and Fairs (*a*) General Market, (*b*) Smithfield, (*c*) Weights, Measures, Gas Meter. 6. Borough Inspection (*a*) Slaughterhouses. 7. Public Works (*a*) Finances and Stores, (*b*) Sewage and Night Soil, (*c*) Lamp and Paving. 8. Watch (*a*) Finance and Stores, (*b*) For the month. 9. Lunatic Asylum (Visitors). 10. Burial Board, (*a*) Cemetery. 11. Free Libraries (*a*) Management. 12. Industrial School. 13. Grammar School.

1879-80.—1. Same as 1. 2. Estates (*a*) Bldg. and Finance, (*b*) Burial Grounds. 3. Finance (*a*) to examine accts., (*b*) Assessments, (*c*) Corporation Stock. 4. General purposes (*a*) to examine accts., (*b*) Munic. offices, (*c*) Parliamentary. 5. Markets and Fairs (*a*) General Market, (*b*) Smithfield. 6. Health (*a*) Health, (*b*) Finance, (*c*) Interception, (*d*) Smoke. 7. Public Works (*a*) Finance and Stores, (*b*) Highways, (*c*) Draining and Lighting. 8. Watch (*a*) Finance and Stores, (*b*) Judicial, (*c*) Fire

brigade. 9. Same as 9. 10. Rubery Hill Asylum. 11. Free libraries (a) Management, (b) Art Gallery, (c) Building. 12. Industrial School (a) Bldg. and Farm, (b) Auditing. 13. Sewage. 14. Gas (a) Works, (b) Finance. 15. Water (a) Works, (b) Finance. 16. Improvement (a) Improvement, (b) Finance.

1889-90.—1. Same as 1. 2. Same as 2. 3. Finance (a) to examine accts., (b) Stationery Management. 4. General Purposes (a) to examine accts., (b) Victoria Courts, (c) Boundaries, (d) Electric lighting, (e) Superannuation. 5. Markets and Fairs (a) General Mkt., (b) Smithfield, (c) Finance. 6. Health (a) Health, (b) Finance, (c) Interception, (d) Stable. 7. Public Works (a) Works, (b) Finance. 8. Watch (a) Finance and Fire Brigade, (b) Judicial. 9. Lunatic Asylum (visiting) (a) Winson Green, (b) Rubery Hill. 10. Industrial School (a) House and Finance. 11. Same as 14. 12. Water (a) Work, (b) Finance, (c) Law. 13. Same as 16. 14. Free Libraries (a) Management, (b) Book, (c) Bldg. 15. Art Gallery Purchase (a) Special selection. 16. Museum and School of Art (a) Management, (b) Finance, (c) Visiting and Examinations, (d) Inspection.

1899-1900.—1. Same as 1. 2. Estates (a) Works, (b) Finance, (c) Burial Grounds and Allotments. 3. Finance (a) to examine accts., (b) Annuities and Stationery, (c) Superannuation Scheme. 4. General Purposes (a) to examine accts. 5. Markets and Fairs (a) General Mkt., (b) Smithfield, (c) Finance, (d) Meat Mkt. 6. Same as 6. 7. Public Wks. (a) Works, (b) Highways, (c) Finance, (d) Tramways. 8. Same as 8. 9. Same as 9. 10. Same as 10. 11. Same as 11. 12. Water (a) Works, (b) Finance. 13. Free Libraries (a) Management, (b) Book. 14. Same as 16 (omitting (d)). 15. Technical School (a) Education, (b) Finance and General Purposes. 16. Electric Supply (a) Finance, (b) Works.

1909-10.—1. Baths and Parks (a) Baths, (b) Parks, (c) Finance. 2. Boundaries. 3. Distress (a) General Purposes, (b) Finance, (c) Application, (d) Emigration, (e) Women's work. 4. Education (a) Elementary, (b) Higher, (c) Technical Educ. and Evening sch., (d) Special schs., (e) Schs. and Bldgs., (f) Attendance, Finance, and General Purposes. 5. Same as 16. 6. Same as 2 (changing (a) to Estates). 7. Finance (a) to examine accts., (b) Annuities and Stationery, (c) Superannuation Scheme, (d) Local Taxation Licences, (e) Financial Adjustment. 8. Free Libraries (a) Management, (b) Book, (c) Lectures. 9. Same as 11. 10. General Purposes (a) to examine accts., (b) Council House Extension. 11. Same as

6. 12. Housing (*a*) Finance, (*b*) Visiting and Interviewing.  
 13. Local Pension Comt. (same as Finance). 14. Same as 9 (other asylums added). 15. Markets and Fairs (*a*) Markets, (*b*) Finance.  
 16. Museum and School of Art (*a*) Museum and Art Gallery Mgmt., (*b*) School of Art Mgmt., (*c*) Finance. 17. Same as 7 (omit (*d*)). 18. Tramways (*a*) Works, (*b*) Finance. 19. Same as 8. 20. Same as 12.

1921-22.—1. Agricultural and Small Holdings (*a*) Small Holdings, (*b*) Cultivation and land drainage, (*c*) Bldg., (*d*) Finance, (*e*) Small Holdings (Sub-Sub-Comt.). 2. Asylums (*a*), (*b*), (*c*), (*d*) for respective asylums, (*e*) Joint Stores, etc. 3. Bank (*a*) Finance and General Purposes, (*b*) House Purchase. 4. Baths (*a*) Works, (*b*) Finance. 5. Same as 3. 6. Education (*a*) Elementary Ed., (*b*) Higher Ed., (*c*) Technical Educ. and Evening Schs., (*d*) Special Schs., (*e*) Sites and Bldgs., (*f*) Hygiene, (*g*) Attendance, Finance and General Purposes, (*h*) School of Art, (*i*) Continuation Schools. 7. Same as 5. 8. Finance (*a*) Accts. and Annuities, (*b*) Superannuation and Compensations, (*c*) Local Taxation Licences, (*d*) Printing and Stationery, (*e*) Priority of Expenditure, (*f*) Payment of Salaries through Munic. Bank. 9. Gas (*a*) Works, (*b*) Finance, (*c*) Residuals, (*d*) Industrial Research Laboratory. 10. General Purposes (*a*) Accounts, (*b*) Charities, (*c*) Staff and Accommodation, (*d*) Special Purposes, (*e*) Parliamentary, (*f*) Contracts and Stores, (*g*) Hospitality, (*h*) Shops Act. 11. Housing and Estates (*a*) Bldgs. and Sites, (*b*) Tenants and Estates, (*c*) Finance and General Purposes. 12. Local Pension (Sub-Comts. for Wards). 13. Same as 15. 14. Mental Deficiency Act. 15. Museum and Art Gallery (*a*) Finance, (*b*) Special selection. 16. Parks (*a*) Administration, (*b*) General purposes and allotments, (*c*) Cemeteries, (*d*) Finance. 17. Public Hlth. Comt. and Maternity and C.W. Comt. (*a*) Public Hlth., (*b*) Finance and Stores, (*c*) Canwell Hall, (*d*) Maternity and C.W. 18. Public Libraries (*a*) Management, (*b*) Reference Library (Book), (*c*) Lending Libraries (Book), (*d*) Finance. 19. Public Works and Town Planning (*a*) Works, (*b*) Highways, (*c*) Town Planning, (*d*) Finance and Stores, (*e*) Plans. 20. Salaries, Wages, and Labour. 21. Salvage and Stables (*a*) Salvage, (*b*) Stables, (*c*) Finance and Stores. 22. Tramways (*a*) Works, (*b*) Finance, (*c*) Street Widening. 23. Watch (*a*) Judicial, (*b*) Finance and Fire Brigade, (*c*) Accounts, (*d*) Street Collections. 24. Water (*a*) Works, (*b*) Finance.



# APPENDIX D

## COMPARATIVE ANALYSIS OF CITY EXPENSES, 1910

FUNCTION.	UNITED STATES (in \$)			
	(31) Expenses.	(31) Outlays.	(31) Total.	% of Total expenses and outlay.
<b>I. Other than Public Service :</b>				
1. Administration (General) -	33,153,851 <sup>(14)</sup>	9,223,529 <sup>(14)</sup>	42,377,380 <sup>(14)</sup>	6.6 +
2. Bridges, Ferries -	2,808,009	8,926,459	11,734,468	1.8 +
3. Education -	126,190,376	34,290,804	160,481,180	25.1 +
4. Elections -	4,625,982	— <sup>(9)</sup>	4,625,982	0.7 +
5. Fire Protection -	45,005,420	6,643,608 <sup>(12)</sup>	51,649,028	8.0 +
6. Highways (incl. Cleaning) -	46,647,836 <sup>(2)</sup>	79,019,611 <sup>(8)</sup>	125,667,447	19.7 -
7. Justice -	20,065,471	1,000,000	21,065,471	3.3 -
8. Libraries and Museums -	7,343,437	3,142,376 <sup>(9)</sup>	10,485,813	1.6 +
9. Police -	59,630,605 <sup>(3)</sup>	1,687,214	61,317,819	9.6 +
10. Public Health -	13,241,102	1,419,747 <sup>(11)</sup>	14,660,849	2.3 -
11. Public Lighting -	25,566,100	1,144,381 <sup>(13)</sup>	26,710,481	4.2 -
12. Refuse Removal -	8,710,474 <sup>(4)</sup>	300,000	9,010,474	1.4 +
13. Relief of Distress -	25,179,180	5,762,537	30,941,717	4.8 +
14. Recreation (5) -	16,108,808	11,328,910	27,437,718	4.3 -
15. Sewerage -	5,935,943 <sup>(6)</sup>	26,513,003 <sup>(10)</sup>	32,448,946	5.1 -
16. Miscellaneous -	5,511,063	2,480,535	7,991,598	1.3 -
Totals -	445,723,657	192,882,714	638,606,371	100.0
% of Grand Total -	77.9 -	68.3 -		74.7 +
<b>II. Public Service :</b>				
(Remunerative)		(16)	(16)	
1. Cemeteries -	828,177	100,000	928,177	0.1 -
2. Electric lighting -	1,755,785	2,000,000	3,755,785	3.0 +
3. Gas works -	629,166 <sup>(7)</sup>	200,000	829,166	0.1 -
4. Harbours, etc -	3,159,667	13,000,000	16,159,667	13.0 +
5. Housing -	—	—	—	—
6. Markets and Abattoirs -	475,434	100,000	575,434	0.05 -
7. Tramways, etc. -	160,855	8,000,000	8,160,855	6.6 -
8. Waterworks -	25,606,229 <sup>(15)</sup>	59,368,490	84,974,719	68.6 -
9. Miscellaneous -	1,770,943	6,763,140	8,534,083	6.9 -
Totals -	34,386,256	89,531,630	123,917,886	100.0 -
% of Grand Total -	6.0 +	31.7 +		14.4 +
<b>III. Interest charges</b>	92,847,248		92,847,248	10.9 -
<b>Grand Totals</b> -	572,957,161	282,414,344 <sup>(1)</sup>	855,371,505 <sup>(1)</sup>	100.0

**ENGLAND AND WALES (in £)**

(31) Per capita total.	(31) Expenditure except from Loans.	(31) Expenditure from Loans.	(31) Total.	% of whole.	(32) Per capita total.
\$1.55	(20) 2,686,199	(20) 296,267	(20) 2,982,466	6.7 +	3/11
.43	131,890	275,156	407,046	0.9 +	0/6½
5.87	12,114,407	991,387	13,105,794	29.5 -	17/2½
.17	(21) 129,825	—	(21) 129,825	0.3 -	0/2
1.89	443,405	52,715	496,120	1.1 +	0/8
4.60	(22) 4,174,537	(22) 1,120,670	(22) 5,295,207	11.9 +	6/11½
.77	366,620	21,464	388,084	0.9 -	0/6
.38	465,253	18,211	483,464	1.1 -	0/7½
2.24	4,351,485	33,836	4,385,321	(34) 9.8 +	(34) 5/1½
.54	(23) 220,894	(27) (23) 39,985	(27) (23) 260,879	0.6 +	0/4½
.98	1,170,586	2,835	1,173,421	2.7 -	1/6½
.33	1,294,484	(27) 32,098	(27) 1,326,582	3.0 -	1/9
1.13	(24) 9,216,750	(24) 430,575	(24) 9,647,325	21.9 +	12/9½
1.01	966,432	260,938	(5) 1,227,370	2.8 -	1/7
1.19	1,078,319	997,494	2,075,813	4.7 -	2/9
.30	(25) 817,618	(27) (25) 259,725	(22) (25) 1,077,543	2.4 +	1/5
23.52	39,628,904	4,833,356	44,460,260	100.0	58/4½
	57.0 +	14.7 -		43.4 +	
.04	276,285	(28) 37,178	313,463	0.7 -	0/5
.14	911,371	722,208	1,633,579	3.4 +	2/0½
.03	3,756,004	194,576	3,950,580	8.8 +	5/2½
.60	(19) 3,872,761	(19) (29) 23,079,228	(19) 26,951,989	60.1 -	35/5
—	206,196	(26) 308,806	(26) 515,002	1.1 +	0/8
.02	289,813	13,514	303,327	0.6 +	0/4½
.29	4,947,274	1,772,356	6,719,630	15.0 -	8/10
3.11	2,464,114	(33) 1,877,521	(33) 4,341,635	(35) 9.7 +	(35) 5/1½
.31	(30) 11,389	(30) 123,608	(30) 134,997	0.3 +	0/2
\$4.54	16,735,207	28,128,995	44,863,202	100.0	58/10½
	24.1 -	85.3 +		43.8 -	
\$3.40	13,114,191		13,114,191	12.8 +	17/3
\$31.46	69,478,302	32,962,351	102,437,653	100.0	34/6

## EXPLANATION OF FOREGOING TABLE

England and Wales—London (all Authorities), County Boroughs, Urban Boards of Guardians, other Joint and Miscellaneous Urban Authorities (18).

U.S.A.—All cities above 30,000 (17).

The author has used classifications so far as possible that are comparable.

The Table is computed from U.S. Bureau of the Census, Financial Statistics of Cities, 1910, pp. 13 ff.; Tables 1, 3, 8, 9, 10, 11, 12, 25, 27, 28, 30, and explanations.

Local Taxation Returns (1909-10), Pt. I, pp. 34 ff.; Pt. II; Pt. IV, pp. 31, 57; Pt. VI; Pt. VII, pp. 62 ff., 84 f., 100, 126 f.

*Notes:*

- (1) \$3,268,445 should be deducted, as being offset by receipts from the public on the outlay account.
- (2) Includes: "judicial" (\$15,622,654), prisons and reformatories (\$4,442,817).
- (3) Includes: health conservation (\$9,059,173), all other (\$381,638), building and other inspection (\$3,800,291), part cost of school medical inspection.
- (4) Includes: supervision (\$468,728), charities (\$14,507,634), hospitals and insane (\$10,202,618).
- (5) The U.S. Statistics do not separate baths from parks, playgrounds, etc. Thus the English Statistics include baths (£382,471) and washhouses (£123,728), a total of £506,199 which in England would be classified, not as 'recreational', but as 'remunerative'. In the case of the U.S., it is doubtful whether 5% of the expense for 'recreation' goes for baths.
- (6) Includes \$2,131,385 for damage settlements.
- (7) In the case of N.Y.C., includes ferries; Portland, Ore., pilotage and dredging.
- (8) Includes estimated amounts of \$500,000 from 'general government' and \$500,000 from 'Charities, hospitals and corrections'.
- (9) Includes \$100,000 (estimated), for part cost of joint police and fire signal systems included in 'All other' (Protections).

- (10) Includes \$897,177 (est.) from 'Protection to person and property—all other'; fountains, public halls, etc.
- (11) This is too large. It is the total outlay for 'Municipal service enterprises', of which Public Lighting made up much the greater amount.
- (12) Includes : Pavements—original (\$56,182,486), Replacements (\$3,789,435); Highways 'all other' (\$18,297,690—est.); Health Conservation—'all other' (\$750,000—est.).
- (13) Estimated—included in Table 12 in 'all other'—Health Conservation.
- (14) Toll bridges and municipal ferries are frequently included in Miscellaneous Public Services in the case of the U.S.; (\$1,150,177 of expenses in this item would be entered under Bridges and Ferries in E. & W.).
- (15) Cf. (14). Includes also Public Halls (\$91,333); Institutional industries (\$432,761); etc.
- (16) Except for waterworks item; all items are estimates, being included under the heading:—'Public service enterprises—All others. The *total* is *correct*; and the individual items are estimated on the basis of tables of revenues, expenses, etc.
- (17) In the case of cities above 300,000 that do not include the functions of the county (chiefly justice and relief of distress), the Bureau of the Census (usually from ascertained sources) has added an amount sufficient to comprise the city's share of county expenses. This has not been done in the case of cities under 100,000. Hence these two items should be considered somewhat larger, when comparisons are made with English cities (15%-20%).
- (18) All London authorities, County Boroughs, Overseers (Bds. of Guardians) of County Boroughs, Miscellaneous Bds., etc., in so far as they have jurisdiction over county borough area (partly estimated).
- (19) Including Port of London Authority—abnormal amount (£22,547,008) defrayed out of loans.
- (20) Includes:—Public Bldgs., Valuation (partly est.), Establishment, Salaries and Superannuation, Legal and Parliamentary Proceedings, Costs of Collection.
- (21) Includes:—Regulation of electors, and election expenses.

- (22) Includes:—Highways, private street works, and other works of private improvement.
- (23) Includes:—Registration of births (partly est.), deaths, and marriages, infectious disease notification, vaccination, diseases of animals, inspection of weights and measures, land drainage, museums and gymnasiums.
- (24) (Partly est.) Includes:—expenses of Bds. of Guardians and Overseers (deducting expenses for valuation, registration, collection, and vaccination); Hospitals; Expenses of the Metropolitan Asylum District (small deduction (£2,950) for Public Health); (estimated) part of Lunacy expense falling upon county borough areas (£757,688); Home for inebriates (from loans £3,208).
- (25) Includes:—Miscellaneous public works: miscellaneous.
- (26) Includes expenses under Small Dwellings Acquisition Act (£2,000).
- (27) Includes 1s. 3d. (£32,098) of item 'Depots, stables, wharves, refuse destructors, and works connected therewith'.
- (28) Includes £2,000 (estimated) urban burial bds.
- (29) The total amount, less £25,000 (est.) for non-county borough projects.
- (30) Allotments, telephones, etc.
- (31) The *Totals* are comparable; but the different classifications adopted make the division adopted a necessary one. A very small percentage of the expenditure of E. & W. is for outlays; while 25-35% (approx.) of the outlays of American cities is met otherwise than from loans.
- (32) Population of U.S. Cities, 27,316,407 (1910 census).  
     U.K. County boroughs      } 15,238,766 (1910 estimate), based  
     London County Council    } on 1911 census ( $\frac{1}{10}$  of gain in  
     City of London            } decade subtracted).
- (33) Includes:—Derwent Valley Bd., Metropolitan Water Works, but omits Bury District and Fylde District (Blackpool).
- (34) Computed on a population of 16,961,645 (to include Metro. Police) and deducting territory under County Police.
- (35) Computed on a population of 17,040,526 (to include Metro. Water Districts).

# FURTHER DATA ON COMPARATIVE FUNCTIONAL EXPENDITURE

1909-10 was chosen for the foregoing table as the most recent year for obtaining accurate details. A decennial census year is the only year not complicated by inaccurate population estimates. Post-war data for American cities are not complete, and in any case are complicated for comparison by fluctuations in the rate of exchange. However, the following tables should prove of assistance in estimating the relative emphasis placed on functions in post-war years.

## EXPENDITURE, U.S. CITIES, 1921

(COMPUTED FROM BUREAU OF CENSUS, FINANCIAL STATIS. OF CITIES, 1921, pp. 91 ff.)

Function.	Current Expenses (000,000 omitted.)	Per Capita	Per cent.	Per cent. —1903	Outlays 1921 (000,000 omitted).
All - - - -	\$873	\$30.24	100	100	\$318
Genl. Govt. - - -	83	2.91	9.6	11.1	3
Police - - - -	90	3.15	10.4	13.6	9
Fire - - - -	74	2.57	8.5	9.8	—
Other Protection - -	15	.51	1.7	1.9	—
Health - - - -	20	.71	2.3	1.7	1½
Sanitation - - -	72	2.50	8.3	7.5	35
Highways - - - -	86	3.00	10.0	12.4	124
Charities, Hospitals, and Corrections - - -	60	2.08	6.9	6.5	6
Schools - - - -	296	10.25	33.9	29.3	55
Libraries - - - -	11	.37	1.2	1.5	2
Recreation - - -	29	.99	3.3	2.7	14
Misc. - - - -	35	1.22	4.0	2.1	1
<i>Municipal Trading—</i>					
Water, - - - -	51	—	—	—	66
Electricity - - -	8				
Gas, - - - -	2				
Misc. - - - -	17				

## EXPENDITURE 1919-20—COUNTY BOROUGH COUNCILS

(Minutes of Evid., Roy. Comm. on Loc. Govt., 1923,  
Pt. I, p. 38)

TOTAL £62,900,000 NON-TRADING, £53,900,000 TRADING

Per cent. by functions—poor law omitted.						Per cent.
Education—	Elementary	-	-	-	-	25.5
	Higher	-	-	-	-	6.0
	Libraries, etc.	-	-	-	-	1.0
	Total	-	-	-	-	32.5
Health—	Sewage	-	-	-	-	5.0
	Refuse	-	-	-	-	5.0
	Hospitals, etc.	-	-	-	-	3.5
	Parks, etc.	-	-	-	-	2.0
	Other	-	-	-	-	4.0
	Total	-	-	-	-	19.5
Roads, etc.	-	-	-	-	-	12.0
Police	-	-	-	-	-	8.5
Housing	-	-	-	-	-	4.5
Mental Hospitals	-	-	-	-	-	4.5
Other	-	-	-	-	-	18.5
						100.0
TRADING						
Tramways	-	-	-	-	-	29.0
Gas	-	-	-	-	-	25.5
Electricity	-	-	-	-	-	25.0
Water	-	-	-	-	-	13.0
Other	-	-	-	-	-	7.5
						100.0

## RATES IN THE £ BY FUNCTIONS—URBAN AREAS

(Loc. Tax Ret., 1919-20, Pt. II, p. 188 f.)

	s.	d.
Total average local rate	11	5.2
Guardians, etc.	1	11.2
Town Councils	9	6.0
Education, libraries	2	10.8
Police and fire		11.9
Justice		1.1
Lunacy and Mental Deficiency		2.0
Public Health	3	0.1
Housing		0.2
Highways	1	11.1
Public Lighting		4.1
Miscellaneous		2.9
General Government		9.2
Municipal Trad. Deficit		0.5
Unallocated		1.4

TOTAL EXPENDITURE (OTHER THAN EXPENDITURE  
OUT OF LOANS) OF LOCAL AUTHORITIES IN ENGLAND AND WALES

(Min. of Evid., Roy. Comm. on Loc. Govt., 1923, Pt. I, p. 210)

## EXPENDITURE IN YEARS

Service.	1895-6 In Million £.	Per cent. of total.	1913-14 In Million £.	Per cent. of total.	1919-20. In Million £.	Per cent. of total.
Education - - -	8.6	13.8	31.8	21.5	57.3	21.6
Public Health - - -	5.7	9.1	12.5	8.4	26.7	10
Highways - - -	9.3	14.9	16.5	11.1	26.3	9.9
Relief of Poor - - -	8.7	13.9	12.3	8.3	19.2	7.2
Police - - -	4.9	7.8	7.7	5.2	17.4	6.5
Lunacy and Mental Deficiency - - -	2.2	3.5	4.9	3.3	7.3	2.7
Public Lighting - - -	0.0		2.4	1.6	2.4	.9
Justice - - -	0.0		0.0		1.1	.4
Misc. and General -	10.8	17.3	19.2	12.9	27.4	10.3
Total - - -	50.2		107.3		185.1	
Trading- - -	12.0	19.3	40.6	27.4	80.4	30.2
Total of Trading and Non-Trading	62.2		147.9		265.5	



## EXPENDITURE (in £) OF LOCAL AUTHORITIES

	1871-2 (m)	1879-80
1. Loan charges - - - - -		9,779,182
2. Baths and washhouses - - - -		
3. Bridges and Ferries - - - - -		
4. Cemeteries - - - - -	212,966	(j)
5. Education - - - - -		3,257,888
6. Electric Lighting (not public) -		
7. Fire protection - - - - -		
8. Gas supply - - - - -		
9. Harbours, etc. - - - - -		909,654
10. Highways (incl. cleaning) - - -	(s)	
11. Hospitals (not poor law) - - -	2,344,654	5,817,250
12. House refuse removal - - - -		
13. Housing of working classes - - -		
14. Justice (f) - - - - -		258,283
15. Land Drainage and Conservancy -		
16. Libraries and Museums (b) - - -		
17. Lighting (public) - - - - -	(l)	
18. Lunacy and Men. Def. - - - - -	261,556	
19. Markets - - - - -	(k)	
20. Parks, etc. - - - - -	722,613	1,375,406
21. Police - - - - -	(r)	
22. Poor Relief - - - - -	4,097,688	3,128,923
23. Contagious Hospitals of Metro- Asylums - - - - -	6,921,594	7,020,806
24. Private street works, etc. - - -		
25. Public buildings (not included elsewhere) - - - - -		
26. Registration of Vital Statistics -		
27. Regis. of electors - - - - -		
28. Sewerage - - - - -		
29. Small holdings and allotments -		
30. Tramways - - - - -		
31. Unemployed Wkm. Act, 1905 - -		
32. Vaccination - - - - -		
33. Valuation - - - - -		
34. Water Supply (c) - - - - -		
35. Public Wks. (misc.) - - - - -	6,267,921	12,680,211
36. Establishment (h) - - - - -		
37. Salaries and Superannuation (h) -		
38. Legal and Parl. Proc. (h) - - -		
39. Misc. - - - - -		6,016,685
40. Total - - - - -	22,215,096	50,252,977
41. Total out of Loans - - - - -	(included)	(included)
42. Grand Total - - - - -	22,215,096	(l) 50,252,977

ENGLAND AND WALES BY DECADES [Loc. Taxation Returns]

1889-90	1899-1900	1909-10	1921
11,084,707	15,698,721	29,222,741	
143,188	330,271	500,874	1,722,476
			(n)
403,748	251,924	287,513	547,086
255,674	375,711	452,061	1,245,398
4,056,696	8,828,012	24,694,163	70,046,214
	(a)		
	569,622	1,342,828	13,832,756
219,133	416,728	610,494	1,733,657
2,822,001	4,586,968	5,360,320	19,902,905
		(i)	
1,245,247	1,668,249	3,875,258	13,873,611
		(e)	(p)
5,890,554	8,817,852	10,830,639	34,957,220
154,959	584,414	998,221	7,587,135
	1,687,790	2,159,106	8,067,979
14,528	51,664	227,451	(o) 1,494,505
208,760	423,912	896,235	1,263,792
270,267	307,649	327,966	692,826
190,785	398,449	633,968	1,341,664
938,043	1,467,944	2,212,246	3,449,017
1,505,691	2,321,977	3,088,179	8,454,974
288,248	384,188	513,836	1,161,285
228,090	574,298	884,987	2,914,235
3,899,846	5,142,082	6,536,951	20,612,957
6,607,299	8,351,066	11,137,594	24,290,538
567,152	398,025	408,538	
	1,133,892	931,493	958,987
178,479	346,848	419,455	
92,682	96,911	103,236	
(g)			
261,683	262,617	270,270	
979,489	1,787,424	2,118,100	5,525,861
	47,734	183,740	1,459,779
28,162	1,125,775	5,353,424	22,399,258
86,437	244,896	234,440	74,403
74,441	124,036	199,019	183,789
(d)			
888,393	1,530,323	135,280	
2,001,640	1,425,841	1,874,441	8,945,382
464,111	734,979	1,830,006	
1,539,643	2,247,405	3,459,346	
134,410	276,064	252,283	
			(g)
455,187	915,187	931,241	20,978,604
48,179,373	75,990,248	(1) 125,809,572	
7,088,554	24,872,032	(1) 40,294,987	
55,267,927	100,062,280	166,104,559	

*Notes :*

(*N.B.*—Certain minor items not included in the classified expenditure are included in certain of the totals.)

- (a) Includes power for trams—also entered under the latter for these years.
- (b) Not including libraries, etc., under Education Acts.
- (c) Not incl. Metro. Water Bd.
- (d) Including removal of refuse.
- (e) Including main roads.
- (f) Bases differ greatly.
- (g) Includes jury lists.
- (h) Only what is not included elsewhere.
- (i) Incl. Port of London Authority (large item).
- (j) School Bds. only.
- (k) Poor law only.
- (l) Lighting and watching rates, plus metropolis.
- (m) Data computed largely from Loc. Tax. Ret. 1871-2. Not very accurate for comparative purposes.
- (n) Ferries only.
- (o) Incl. Town Planning.
- (p) Incl. Bridges.
- (q) Owing to a different basis of classification, many items are included here.
- (r) 'Police Rate' and loans. Includes many other services.
- (s) 'Highway Rate' expenditure, plus Town Improvement and Local Board Rates for Highways, Cleaning, etc.

*Notes to Table, pp. 692, 693 :*

(\*) Including grants made in connection with schemes of work for the unemployed.

(b) Item 3 (ii), including scavenging (other than scavenging of roads and streets, which is included against item 8).

(c) Item 3 (iii), including the fever and smallpox hospitals of the Managers of the Metropolitan Asylum District. Sums expended by Boards of Guardians in respect of infirmaries are entered against item 7 and not against item 3 (iii).

(d) Items 4 and 7, col. 2, excluding the part of the grant under the Agricultural Rates Act 1896, which may be taken to have been applied in aid of rates for the relief of the poor (including the maintenance of lunatics in county and borough asylums). That part (approximately £500,000) is included against item (i) (a) in (g) below.

(e) Item 8, col. 1, including approximately £4,190,000 in respect of scavenging and watering of roads and streets not charged in maintenance.

(f) Col. 3. The amounts entered in column 3 against items 18, 22, 24, 25, and 26 represent excess of aggregate income over aggregate expenditure, and are deducted in arriving at the total of the column. The amounts are net, i.e. deficiencies on some undertakings have been balanced against surpluses on other undertakings in each class. The sums transferred from rate accounts to meet deficiencies in the accounts of such of the services mentioned in items 17 to 26 as showed deficiencies amounted to £4,784,854 and the surplus profits transferred in relief of rates from the accounts of such of the services as showed surpluses amounted to £1,097,349.

(g) The total of £161,204,714 entered in col. 3 was met out of the undermentioned receipts:

(i) Grants not allocated to any one service :			
(a) Grant under the Agricultural Rates Act, 1896 (portion of) - - - - -	£	£	%
(b) " Free balances " of Exchequer Contribution Accounts (net) - - - - -	1,203,579	2,509,902	1.6
	1,306,323		
(ii) Fees, tolls, rents, etc., not allocated to any one service - - - - -		4,919,954	3.1
(iii) Rates received during the year - - - - -		151,809,139	95.3
(iv) Total of rates and unallocated receipts - - - - -		159,238,995	100.0
(v) Add—Amount by which the balances in hand were decreased during the year - - - - -		1,965,719	
(vi) Total (agreeing with total of column 3). - - - - -		161,204,714	

Statement showing, for the year 1920-21, (1) the aggregate expenditure (other than expenditure defrayed out of loans of the Local Authorities in England and Wales); (2) their receipts (other than from loans and rates) as far as allocated to specific services; (3) the balance of their expenditure falling on rates and receipts not allocated to specific services; (4) their expenditure defrayed out of loans.

(Compiled from Returns furnished under the Local Taxation Returns Acts, 1860 and 1877, and other Acts.)

Services.	Maintenance and other expenses not being loan charges. £	Exchequer grants. £	Balance of expenditure falling on rates, etc. (see note (g)). £	Loans expended during the year. £
I. Education :				
(i) Elementary education (including industrial schools) - - -	56,664,125	32,933,877*	26,104,334	740,996
(ii) Higher education - - -	13,382,089	6,289,186*	5,767,010	1,197,432
2. Public Libraries and Museums - - -	1,341,664	1,942*	1,270,754	10,040
3. Public Health :				
(i) Sewers and sewage disposal - - -	5,525,861	19,683*	7,758,825	2,303,186
(ii) Collection and disposal of house refuse (b) - - -	8,067,979	2,239*	7,832,525	329,044
(iii) Hospitals, sanatoria, dispensaries, etc. :				
For tuberculosis - - -	3,167,325	1,187,783*	1,118,222	533,634
For venereal diseases - - -	481,618	310,131	161,612	2,797
For other diseases (fever, diphtheria, small-pox, etc.) (c) - - -	3,938,192	2,543*	4,235,311	268,504
(iv) Salaries of medical officers of health, inspectors of nuisances, and health visitors (as far as not allocated to specific services) - - -	1,317,931	326,888	985,463	—
(v) Maternity and child welfare - - -	2,038,909	812,912	756,319	132,913
(vi) Baths, washhouses, and open bathing places - - -	1,722,476	1,886*	1,132,714	99,238
(vii) Parks, pleasure grounds, and open spaces - - -	2,914,235	45,110*	2,730,011	500,847
(viii) Vaccination - - -	183,789	8,862	174,927	—
(ix) Other health services - - -	1,781,091	20,096*	1,363,292	296,198

## ANALYSIS OF CITY EXPENSES

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	(d)	(e)	(f)	(g)
4. Lunatics and lunatic asylums - - -	7,906,005	1,045,936	5,849,950	181,804
5. Mental deficiency - - -	548,969	227,298	287,882	37,229
6. Housing and town planning - - -	1,494,505	775,049*	1,231,341	52,209,923
7. Relief of the poor (excluding maintenance of lunatics in county and borough asylums) - - -	24,290,538	1,077,487	22,833,441	229,554
8. Highways and bridges (excluding lighting, but including scavenging - - -	34,957,220	4,695,435*	31,198,142	3,658,987
9. Private street works and other works of private improvement - - -	958,987	—	48,391	114,887
10. Public lighting (lighting streets, etc.) - - -	3,449,017	222*	3,429,736	19,169
11. Fire brigades (engines, etc.) - - -	1,733,657	10,086*	1,716,529	171,217
12. Police and police stations - - -	20,612,957	9,494,565	10,147,252	94,827
13. Administration of justice - - -	1,263,792	—	621,936	80,414
14. Unemployment (so far as dealt with under the Unemployed Workmen Act - - -	74,403	—	9,541	—
15. Land drainage and embankment, and river conservancy - - -	692,826	49,399*	586,774	122,725
16. Small holdings and allotments - - -	1,459,779	352,407*	321,335	6,139,184
17. Cemeteries - - -	1,245,398	1,113*	659,985	111,718
18. Markets - - -	1,161,285	1,352 (Cr)*	70,016	378,799
19. Ferries - - -	547,086	—	124,261	193,285
20. Waterworks - - -	8,945,382	328*	4,080,688	3,987,020
21. Gasworks - - -	19,902,995	313*	83,999	1,941,618
22. Electric light supply undertakings - - -	13,832,756	7,303 (Cr)	58,838	8,384,214
23. Tramways and light railways - - -	22,399,258	21,624	1,560,379	2,788,901
24. Harbours, docks, piers, canals, and quays - - -	13,873,611	9,000 (Cr)	783,694	3,576,857
25. Corporation estates - - -	683,159	540 (Cr)	32,344	1,395,765
26. Miscellaneous trading services - - -	453,371	220 (Cr)*	8,774	47,357
27. Other specific services - - -	4,758,821	834,078*	1,454,505	1,180,073
28. Expenditure belonging to but not allocated in the Returns to specific services - - -	11,726,413	—	14,520,995	993,044
	£301,499,384	£60,566,703	£161,204,714	£94,453,400

## APPENDIX E

## BRISTOL—RATES AND HOUSES BUILT (under £26)

Year.	No. of Houses under £26.	Rate.
1900		7/8
1901	1199	7/1
1902	885	7/6
1903	855	7/5
1904	833	7/2
1905	905	7/10
1906	639	8/4
1907	644	8/6
1908	330	8/7
1909	189	9/1
1910	177	9/2
1911	92	8/8
1912	125	8/8
1913	97	8/8
1914	56	8/8
1915	64	8/4
1916	35	8/0½
1917	19	8/2
1918	9	9/8]
1919		12/-
1920		15/3
1921	248 Munic.	16/5
1922	691 Munic.	16/3

## APPENDIX F

## PERCENTAGE OF ELECTORATE VOTING

## LEEDS

(Data from Council *Year Books*)

Year.	Contested.	Uncontested.	Contested Wards. Voters on Register.	Voting.	Per cent. Voting.
1901	14	2	74,142	53,850	72·6
1902	14	2	82,662	55,935	66·4
1903	16			56,539	68·4
1904	14	2	79,392	53,273	67·0
1905	13	3	67,148	42,471	53·25
1906	14	2	79,015	49,356	62·46
1907	16	0	85,259	52,753	61·9
1908	13	3	74,323	51,013	68·6
1909	14	2	77,420	54,333	70·1
1910	13	3	76,031	41,654	54·78
1911	14	2	83,271	50,381	60·5
1912	15	2	79,185	47,885	58·88
1913	17	0	90,656	53,497	59·01
1914	No contests. C. 25 ; Lib. 12 ; Lab. 14				
1921			178,981	90,988	50·8
1922			180,628	92,258	51·2

From 1894 to 1907, no independent was elected.

In 1908, one such was successful. (*Year Book*, 1911, pp. 118 ff.)

School Board elections : 1879—26,693 out of 56,606 voted.

School Board elections : 1900—26,265 out of 79,011 voted.

## LIVERPOOL

(Computed from Liverpool *Red Book*—Files)

Year.	Contested.	Eligible.	Voted.	%
1897	19	74,545	39,411	52·9
1898	14	55,647	15,202	27·3
1899	16	61,310	27,652	45·1
1908		47,066	26,689	56·6
1909		38,917	19,587	50·3
1919		212,307	94,958	44·7
1920		226,493	126,449	55·7
1921		238,694	120,401	50·4
1923				*46·3

\* Liverpool *Post*, Nov. 2, 1923.



## BRISTOL

(1899-1906 from files of *Times* and *Mirror*; 1907, etc.,  
from City records)

Year.	Total seats.	INDEPENDENT CANDIDATES.			Registered Voters.	Voting.	% Voting.
		Con-tested.	De-feated.	Elected.			
1899	18	3	3	0	9,703	3,573	37
1900	18	3	3	0	12,992	6,148	48
1901	18	5	3	2	12,338	4,233	35
1902	18	8	3	0	20,988	13,781	66
					(a)	(a)	
1903	18	8	2	2	21,894	13,172	61
					(a)	(a)	
1904	19	14	2	2	37,629	22,534	60
1905	19	6	3	0	17,174	10,065	58
					(a)	(a)	
1906	22	7	0	2	18,042	9,542	53
1907	23	10	3	0	26,063	16,236	62
1908	23	8	3	1	25,857	16,791	65.5
1909	23	8	0	1	29,700	17,448	59
1910	23	7	2	2	25,942	11,327	44
1911	23	11	2	1	36,328	16,270	46
1912	23	13	4	1	40,270	19,702	48.8
1913	23	9	4	1	27,679	15,753	57
1919	23	17	10	1	129,421	41,203	33.17
1920	23	16	1	0	128,738	56,435	43.83
1921	23	17	1	0	127,523	58,118	45.57
1922	23	13	—	—	108,518	51,516	47.94

(a) Incomplete.

## Referenda :

1911—23,225 out of 65,992 voted (37%).

1914—33,017 out of 71,902 voted (46%).

1922—33,232 out of 156,697 voted (21%).

## Election of Auditor :

1911—1,729 voted out of 66,000 voters eligible.

1912—1,896 voted out of 65,000 voters eligible.

BIRMINGHAM  
(*Birmingham Post*—Files)

Year.	Con- tested.	Uncontested.	Eligible.	Voted.	%.
1870	3	9	incomp.	incomp.	37 approx.
1871	3	9	incomp.	incomp.	58 "
1880	2	16	11,178	5,990	53·6
1881	2	16	8,814	3,561	39
1896	9	9	45,480	23,342	51·3
1900	3	15	12,780	6,465	50·6
1901	7	11	38,695	16,203	41·9
1910		Unopposed			
1911	27	3	147,034	50,000 (approx.)	34
1913	9	21	53,088	27,933	52·6
1919			317,491	96,156	30·2
1920	27	3	316,886	123,592	39·0
1921	24	6	287,422	122,043	42·4
1922	22	8	272,022	126,177	46·3

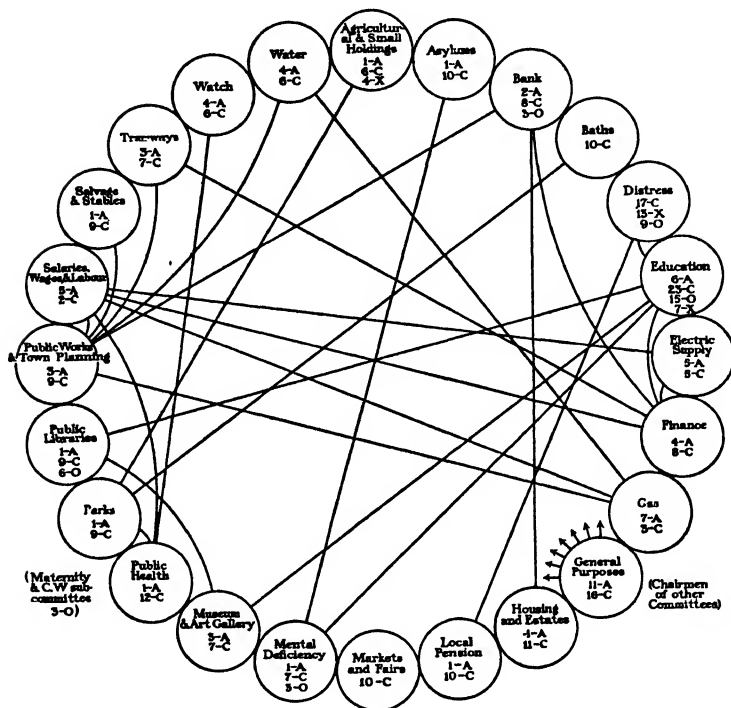
In 1844, the % voting in the contested wards were 18%, 47%, 29%, 57%, 53%, 43%, 30%, 30% or an average of 38% (Bunce and Vince, *Birmingham*, vol. i., p. 295).

LONDON  
(*London Statistics*, pp. 18, 19, 21)  
Percentage voting

Year.	London County Council.	Boards of Guardians.	Metro. Borough Councils.
1900			45·9
1903			47·3
1904	45·7		
1906			48·2
1907	55·5	28·1	
1909			50·8
1910	51·0	21·8	
1912			47·0
1913	52·2	21·3	
1919	16·6	7·7	27·9
1922	36·8	22·8	

## APPENDIX G

### ANALYSIS OF THE BIRMINGHAM COUNCIL AND COMMITTEES, 1921-22



A—Aldermen.

C—Councillors.

O—Co-opted Members.

X—Ex-officio Appointed Members.

Lines connect committees which have so-called 'liaison' members in common. The mayor is also a member of virtually all committees.

Note the percentage of aldermen on 'trading' committees.

Members of Council on one committee only	-	-	-	22
Members of Council on two committees	-	-	-	58
Members of Council on three committees	-	-	-	29
Members of Council on four committees	-	-	-	9

One member—elected to fill a vacancy—not on any committee.  
28 members are also on the 'General Purposes' Committee.  
(For length of service, etc., cf. Appendix N.)

## APPENDIX H

APPLICATIONS FOR THE EXTENSION OF  
COUNTY AND OTHER BOROUGHES(Minutes of Evid., Roy. Comm. on Loc. Govt., 1923,  
Pt. I, p. 207)

## (A) PROVISIONAL ORDERS.

How dealt with.	County Boroughs.	Other Boroughs.	County and other Boroughs.
1. Total applications received -	104	158	262*
2. Applications withdrawn or dropped - - -	12	12	24
Action by L.G.B. or Minister of Health :			
Applications rejected :			
3. (a) Without Local Enquiry -	7	20	27
4. (b) After Local Enquiry - -	13	25	38
	— 20	— 45	— 65
Provisional Orders issued :			
5. (a) Granting part of Extension -	47	55	102
6. (b) Granting whole of Extension	25	46	71
	— 72	— 101	— 173
Action by Parliament :			
7. (a) P.O.'s confirmed without modification of area - - -	57	91	148
8. (b) P.O.'s confirmed with modi- fication of area - - -	7	8	15
9. (c) P.O.'s rejected - - -	8	2	10
	— 72	— 101	— 173
Local Inquiries :			
10. (a) Number of applications un- opposed - - -	10	18	28
11. (b) Number of applications opposed - - -	75	112	187
	— 85	— 130	— 215
P.O.'s in Parliament :			
12. (a) Number unopposed - - -	28	70	98
13. (b) Number opposed - - -	44	31	75
	— 72	— 101	— 173

## (B) BILLS.

1. Total applications made -	61	17	78
2. Applications withdrawn or dropped	5	3	8
3. Applications rejected - - -	10	4	14
4. Proposals passed without modi- fication of area - - -	29	7	36
5. Proposals passed with modifica- tion of area - - -	17	3	20

\* Including three agreed applications this year.

# APPENDIX I

## ENGLAND AND WALES LOCAL AUTHORITIES

(Minutes of Evid., Roy. Comn. on Loc. Govt., 1923,  
Pt. I, p. 211)

Year.	Expenditure per head of Population. £	Rates per head of Population. £	Rates and Grants per head of Population. £
1875	1.26	0.81	0.87
1876	1.32	0.81	0.89
1877	1.40	0.83	0.91
1878	1.44	0.86	0.94
1879	1.45	0.88	0.96
1880	1.46	0.87	0.96
1881	1.48	0.90	0.99
1882	1.54	0.92	1.02
1883	1.59	0.93	1.04
1884	1.61	0.95	1.05
1885	1.62	0.97	1.08
1886	1.62	0.97	1.09
1887	1.62	0.96	1.10
1888	1.63	0.97	1.12
1889	1.66	0.96	1.13
1890	1.68	0.96	1.19
1891	1.74	0.96	1.20
1892	1.80	0.97	1.24
1893	1.89	1.01	1.31
1894	1.96	1.07	1.36
1895	1.96	1.11	1.41
1896	2.02	1.17	1.46
1897	2.08	1.20	1.51
1898	2.15	1.19	1.54
1899	2.23	1.21	1.58
1900	2.36	1.26	1.64
1901	2.53	1.32	1.70
1902	2.65	1.41	1.79
1903	2.79	1.51	1.90
1904	2.93	1.57	2.04
1905	3.17	1.65	2.24
1906	3.24	1.70	2.27
1907	3.29	1.72	2.32
1908	3.39	1.70	2.29
1909	3.44	1.73	2.33
1910	3.52	1.77	2.35
1911	3.58	1.80	2.38
1912	3.71	1.82	2.44
1913	3.83	1.86	2.46
1914	4.01	1.93	2.54
1915	4.11	1.98	2.60
1916	4.10	2.02	2.64
1917	4.15	1.94	2.55
1918	4.53	2.01	2.71
1919	5.16	2.26	3.03
1920	7.07	2.82	4.09
1921	?	4.04	5.72

## APPENDIX J

## CONGESTION OF POPULATION

(Sources :—Clarke, *Housing Problem*, pp. 125, etc. ; *Cleveland Year Book*, 1922, p. 22 ; *Rept., N.Y. Tenement House Comn.*, vol. ii., var. ; Lowell, *Government of England*, p. 250.)

## A. Population per acre :

## (a) Congested Districts—England.

(1911) Shoreditch - 180.2

(1911) Paddington - 106.1

(1911) Manchester

(Hulme) - 141

(1911) York (special) 349; 246; 237

(1921) Southwark - 163

## United States.

New York (certain blocks) - 1,000

## (b) Entire Cities—England.

London - - - 60

Manchester - - - 34

Sheffield - - - 21

Birmingham - - - 21

Bradford - - - 13

Leeds - - - 18

## United States.

New York - - 28

Chicago - - 21

Boston - - 25

Washington - - 10

## B. Population per room :

## (a) More than 2 per room—1911 :

Glasgow - - 53.6% of population.

Tyneside - - 40.0% (of tenements).

Edinburgh - - 31.1% of population.

London - - 16.8% "

Birmingham - - 9.8% "

Liverpool - - 9.5% "

Manchester - - 7.0% "

Belfast - - 5.5% "

England and Wales. 9.1% "

Boston, 5,232 tenements were inspected, and it was found that they averaged more rooms than occupants. Only 12% had less than 300 cubic feet of air for an adult or 200 for a child. This 12% represented only about 2½% of the population.

## Families per dwelling :

New York City - 3.5

Chicago - - 1.9

Philadelphia - 1.1

Detroit - - 1.4

## APPENDIX K

### PARK FACILITIES

(Data from Municipal Year Books, *London Statistics*,  
Corney, *Houston, Plans for Development*, p. 22)

#### (A) UNITED STATES

City.	Population.	Park Acreage.	Persons per Acre.	Year.
Los Angeles - - -	600,000	4,740	127	1922
Lincoln - - -	60,000	367	163	1922
Detroit - - -	1,000,000	2,303	434	1922
Washington - - -	331,069	3,100	107	1910
Minneapolis - - -	301,408	3,391	89	1910
Kansas City, Mo. - - -	248,381	2,247	110	1910
Seattle - - -	237,194	1,056	224	1910
Hartford - - -	98,915	1,333	73	1910
Houston - - -	78,800	115	685	1910
Oklahoma City - - -	64,205	1,784	36	1910
Spokane - - -	104,402	945	110	1910
New Haven - - -	133,605	1,100	121	1910
Utica - - -	100,000	690	145	1923

#### (B) UNITED KINGDOM

Birmingham - - -	919,435	2,190	420	1921
London - - -	4,483,249	6,587	686	1921
Oldham - - -	145,001	170	853	1922
Glasgow - - -	1,034,174	1,560	663	1922
(with Ardgoil) - - -		16,300	5	
Birkenhead - - -	147,800	287	515	1921
Bradford - - -	286,000	385	743	1921

## APPENDIX L

### THE EXTENT OF CENTRALIZATION IN ENGLAND AND WALES

(Summarized from evidence of Mr. I. G. Gibbon before the  
Royal Comn. on Loc. Govt., Minutes, vol. i, p. 58 f.)

(1) General Supervision, Ministry of Health and Board of  
Education. (Now overshadowed by control over grants and loans.)

(2) Regulations controlling the exercise by Local Authorities of specified functions. (e.g. control of infectious diseases, town planning.)

(3) Control over loans. Ministry of Health sanction almost universally required. Ministry of Transport and Electricity Commissioners must sanction in the event of certain municipal trading loans. In the case of the Ministry of Health, control includes financial position, suitability of project, relative importance of project, economy, etc.

(4) Control through grants in the functions of education, roads, police, housing, small holdings, tuberculosis, venereal diseases, maternity and child welfare.

(5) Audit of accounts. This control applies to boroughs only in the case of education and assisted housing.

(6) Confirmation of by-laws.

(7) Miscellaneous Acts requiring central approval. (e.g. alterations of area; slum clearances; town planning; scales of fees for burials, markets, carriage fares, etc.; prosecutions under the Rivers Pollution Prevention Acts.

(8) Approval of appointment and dismissal of all local Poor Law officials. Approval (as condition for obtaining a grant) of medical officers of health, inspectors of nuisances, engineers and surveyors in charge of roads. This last is under the Ministry of Transport.

(9) Powers to nominate members on the Metropolitan Asylums Board, and the Poor Law School and Sick Asylum Managers.

(10) Appellate jurisdiction from decision of Local Authorities in the case of orders closing insanitary houses, costs of private street construction, assessments for sanitary construction, and (from decision of county councils), alterations of urban or rural districts.

(11) Powers to act in default of Local Authorities in certain health and housing matters.

(12) Consent of central authority usually required to promote a Private Bill. (*N.B.*—This is usually only a matter of form.)

(13) Powers to make Provisional Orders. (This is elaborated in Minutes of Evid., vol. i, p. 153.)

(14) Presentation of opinions on Private Bills.

(15) Requisition of statistics.



# APPENDIX M

## POPULATION OF CITIES

*(mentioned in text)*

### UNITED STATES

	1870	1900	1920
Akron - - - -	10,006	42,728	208,435
Ashtabula - - -		12,949	22,082
Atlanta (Ga.) - - -	21,789	89,872	200,616
Austin - - - -		22,258	34,876
Baltimore - - - -	267,354	508,957	733,826
Bethlehem - - -		7,293	50,358
Birmingham (Ala.) - -		38,415	178,806
Boston - - - -	250,526	560,892	748,060
Boulder - - - -		6,150	11,006
Bridgeport - - - -	18,969	70,996	143,355
Brookline - - - -		19,935	37,748
Brooklyn - - - -	419,921	1,166,582	2,018,356
Buffalo - - - -	117,714	352,387	506,775
Butte - - - -		30,470	41,611
Cairo (Ill.) - - - -		12,566	15,203
Cambridge (Mass.) - -	39,634	91,886	109,694
Camden - - - -	20,045	75,935	116,309
Charleston (S.C.) - -		55,807	67,957
Chattanooga - - - -		30,154	57,895
Chicago - - - -	298,977	1,698,575	2,701,705
Cincinnati - - - -	216,239	325,902	401,247
Cleveland - - - -	92,829	381,768	796,841
Columbia (S.C.) - - -		21,108	37,524
Columbus (O.) - - -	31,274	125,560	237,031
Concord (N.H.) - - -		19,632	22,167
Dallas - - - -		42,638	158,976
Dayton - - - -	30,473	85,333	152,559
Decatur - - - -		20,754	43,818
Denver - - - -	4,759	133,859	256,491
Des Moines - - - -	12,035	62,139	120,468
Detroit - - - -	79,577	285,704	993,678
Duluth - - - -	3,131	52,969	98,917

## APPENDIX M

705

## POPULATION OF CITIES, UNITED STATES—Continued.

	1870	1900	1920
Evansville - - -		59,007	85,264
Fairfield - - -		4,489	11,475
Fall River - - -	26,766	104,863	120,485
Galveston - - -		37,789	44,255
Grand Rapids - - -	16,507	87,565	137,634
Harrisburg - - -		50,167	75,917
Hartford - - -	37,180	79,850	138,036
Helena - - -		10,770	12,037
Hoboken - - -		59,364	68,166
Holyoke - - -		45,712	60,203
Houston - - -	9,382	44,633	138,276
Indianapolis - - -	48,244	169,164	314,194
Jackson (Mich.) - - -		25,180	48,374
Jacksonville - - -	6,912	28,429	91,558
Jersey City - - -	82,546	206,433	298,103
Kansas City (Kan.) - - -		51,418	101,177
Kansas City (Mo.) - - -	32,260	163,752	324,410
Key West - - -		17,114	18,749
La Crosse - - -		28,895	30,421
Lakewood - - -		3,355	41,732
Lincoln - - -		40,169	54,948
Little Rock - - -		38,307	65,142
Lockport - - -		16,581	21,308
Los Angeles - - -	5,728	102,479	576,673
Louisville - - -	100,753	204,731	234,891
Lowell - - -		94,969	112,759
Manchester (N.H.) - - -		56,987	78,384
Memphis - - -	40,226	102,320	162,351
Meriden - - -		24,296	29,867
Milwaukee - - -	71,440	285,315	457,147
Minneapolis - - -	13,066	202,718	380,582
Mobile - - -		38,469	60,777
Montgomery - - -		30,346	43,464
Nashville - - -	25,865	80,865	118,342
Newark - - -	105,059	246,070	414,524
New Haven (Conn.) - - -		108,027	162,537
New Orleans - - -	191,418	287,104	387,219
Newport (R.I.) - - -		22,441	30,255
New York - - -	1,478,103	3,437,202	5,620,048
Norfolk (Va.) - - -	19,229	46,624	115,777
Omaha - - -	16,083	102,555	191,601
Paterson - - -	33,579	105,171	135,875
Peoria - - -		56,100	76,121
Philadelphia - - -	674,022	1,293,697	1,823,779
Pittsburg - - -	139,256	451,512	588,343
Portland (Ore.) - - -	8,293	90,426	258,288
Providence - - -	68,904	175,597	237,595

## POPULATION OF CITIES

POPULATION OF CITIES, UNITED STATES—*Continued.*

	1870	1900	1920
Quincy - - -		36,252	35,978
Richmond - - -	51,038	85,050	171,667
Roswell (N.M.) - - -		2,049	7,033
Sacramento - - -		29,282	65,908
Salem - - -		35,956	42,529
Salt Lake City - - -	12,854	53,531	118,110
San Antonio - - -	12,256	53,321	161,379
San Francisco - - -	149,473	342,782	506,673
Savannah - - -		54,244	83,252
Scranton - - -	35,092	102,026	137,783
Seattle - - -	1,107	80,671	315,312
Selma - - -		8,713	15,589
Spokane - - -		36,848	104,437
Springfield (Ill.) - - -		34,159	59,183
Springfield (Mass.) - - -	26,703	62,059	129,614
Staunton - - -		7,289	10,623
St. Louis - - -	310,864	575,238	772,897
St. Paul - - -	20,030	163,065	234,698
Sumter (S.C.) - - -		5,673	9,508
Superior - - -		31,091	39,671
Tacoma - - -		37,714	96,975
Taunton - - -		31,036	37,137
Toledo - - -	31,584	131,822	243,164
Trenton - - -	22,874	73,307	119,289
Utica - - -	28,804	56,383	94,156
Washington (D.C.) - - -	131,700	278,718	437,571
Wheeling - - -		38,878	56,208
Wichita - - -		24,671	72,217
Wilmington - - -	30,841	76,508	110,168
Youngstown (O.) - - -	8,075	44,885	132,358

## UNITED KINGDOM.

	1871	1901	1921
Aberdeen - - (1881)	105,003	153,497	158,969
Belfast - - -	174,412	349,180	425,000 (Est.)
Birkenhead - - (1877)	77,260	110,915	147,800
Birmingham - - -	343,787	522,182	919,438
Bolton - - -		168,205	178,683
Bootle - - -		58,558	77,800
Bradford - - -	185,088	279,809	285,979
Bristol - - -	182,552	328,842	381,700

## APPENDIX M

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POPULATION OF CITIES, UNITED KINGDOM—*Continued.*

	1871	1901	1921
Bromborough - - -			1,000 (Est.)
Cross Gates - - -			1,165 (Est.)
Croydon - - -	56,123	133,895	200,262
Dartmouth - - -	5,338	6,579	7,201
Dublin - - -	314,666	(a) 376,081	309,272
Dudley - - -		48,724	55,874
Dundee - - -		161,354	168,217
Ebbw Vale - (1881)	14,700	20,993	
Edinburgh - - -	222,371	317,930	420,281
Glasgow - - -	477,732	761,709	1,034,174
Halifax - - -		104,933	100,700
Hull - - -	121,892	240,618	290,808
Leeds - - -	259,212	428,968	458,320
Leicester - - -	95,220	211,579	234,190
Liverpool - - -	493,405	684,947	803,118
London - - -	3,577,304	4,536,541	4,483,249
Manchester - - -	351,189	543,969	730,551
Merthyr Tydvil - - -		69,495	80,161
Nottingham - - -	86,621	239,753	262,658
Newcastle-upon-Tyne - - -	128,443	214,803	274,955
Oldham - - -	82,619	137,238	145,001
Plymouth - - -	73,599	107,509	209,857
Salford - - -	124,801	220,956	234,150
Sheffield - - -	289,537	418,765	519,239
St. Helens - - -		84,410	102,675
Stoke-on-Trent - - -		213,872	267,611

(a) With suburbs.

## APPENDIX N

MAYORS, ALDERMEN AND COUNCILLORS—  
LENGTH OF SERVICE

(A) % of council members who were on the council 10 years before, etc. (Data compiled from Municipal Year Books, etc.)

(N.B.—Where possible, those previously members of annexed authorities are included.)

Birmingham.—1885, 34·3% (22); 1900, 36·3% (24); 1920, 40·8% (from 1911) (49).

Liverpool.—1890, 32·8% (21); 1900, 37·5% (24); 1910, 32·8% (45); 1922, 43·2% (66).

Bristol.—1908, 50·1% (47); 1913, 38·4% (35).

Liverpool.—1900, at least 7 were members of the 1880 council.

Liverpool.—1910, at least 14 were members of the 1890 council and 6 more were members some year prior to 1890.

Birmingham.—Council of 1920-21. Year of first election:

1920	23 members.
1919	27 members.
1914-18	14 members (war years).
1910-13	36 members (including 27 in 1911 from annexed areas).
1900-09	13 members.
1890-99	6 members.
1882-1889	2 members.

Birmingham.—Length of Service.

Council of	-	-	-	-	-	1885	1900	1920
Service less than 3 years	-	-	-	-	-	11	7	50
Service 3 to 6 years	-	-	-	-	-	19	16	6
Service 7 to 12 years	-	-	-	-	-	17	22	42
Service more than 12 years	-	-	-	-	-	18	19	22
						<hr/> 65	<hr/> 64	<hr/> 120

Of the 1885 council, by 1900:

- 14 had died in office.
- 26 had resigned.
- 46 had retired.
- 19 remained in office.
- 45 were new members.

During the years 1892-1899, only one retiring councillor who sought re-election was defeated in a partisan battle; only 3 were defeated by independent opponents.

#### (B) RE-ELECTION OF MAYORS

Birmingham.—1870-1899: 13 served 1 year; 4, 2 years; 3, 3 years. 1900-1920: 5 served 1 year; 5, 2 years; 1, 3 years. One Mayor served for 2 years, who had served 3 years earlier.

Portsmouth.—1870-1922: 15 served 1 year; 5, 2 years; 4, 3 years; 2, 4 years; 1, 5 years.

These were consecutive in 10 instances.

Croydon.—1883-1922 : 11 served 1 year ; 7, 2 years ; 1, 3 years ; 3, 4 years. In all but two instances, these were consecutive.

Glasgow.—1870-1920 : The Lord Provost serves for 3 years. There have been no re-elections.

Newcastle-on-Tyne.—1870-1922 : 26 served 1 year ; 8, 2 years ; 1, 3 years ; 1, 7 years. These have been consecutive in about half the cases.

Sheffield.—1868-1921 : 40 served 1 year ; 5, 2 years ; 1, 4 years (1868-71).

Leeds.—1870-1896 (Mayors) : 14 served 1 year ; 5, 2 years ; 1, 3 years. 1897-1922 (Lord Mayors) : 27 served 1 year, no re-elections. However, three who had previously served as Mayor were chosen for a term as Lord Mayor.

## APPENDIX O

## LOCAL AND MUNICIPAL DEBT

## A. UNITED STATES

## Net debt at various periods

Year.	Net Debt (minor divisions).	Per Capita.	Net Debt Cities over 30,000	Per Capita.
1890	\$925,989,603	\$14.79	\$539,530,364	\$42.80
1902	1,630,069,610	20.74	1,065,244,991	53.88
1911			1,808,828,392	67.52
1913	3,475,954,353	35.81	2,258,958,504	74.82
1918			2,508,095,418	80.96
1921			2,474,281,045	85.68

Of the 1921 debt, \$1,036,091,787 is New York City (\$182.93 per cap.).  
(N.B.—The number of cities included varies. Hence the 'per capita' is the more relevant.)

Data from U.S. Bureau of Census, Abstract—Wealth, Debt and Taxation. Financial Statistics of Cities, 1918, 1921.

It is doubtful whether the increase in debt has kept pace with the increase in the assessed valuation. The per capita assessed valuation of real property subject to taxation was as follows: 1890, \$303.01; 1902, \$336.72; 1912, \$534.18.

By 1921, the *municipal* per capita valuation had reached \$1,245.14 (approx. \$1,000.00 of which was on real property). In 1918, it was \$1,099.

### B. ENGLAND AND WALES

#### Debt all Local Authorities

Year.	Amount.	Per capita (est. in non-census years).		
	£	£	s.	d.
1868	60,000,000	2	12	0
1875	93,000,000	3	16	0
1885	173,000,000	6	6	6
1895	235,000,000	7	14	0
1898	262,000,000	8	6	0
1900	294,000,000	9	3	6
1906	483,000,000	14	1	6
1911	556,000,000	15	8	0
1921	628,000,000	16	11	6

The 1921 debt is made up as follows:

Poor Law Authorities	-	-	-	-	-	£7,655,000
County Boroughs	-	-	-	-	-	228,809,000
Non-County Boroughs	-	-	-	-	-	57,920,000
Urban Districts	-	-	-	-	-	63,006,000
London Authorities	-	-	-	-	-	121,828,000
Misc. (Harbour, etc.)	-	-	-	-	-	88,927,000
Total (predominantly urban)	-	-	-	-	-	£568,145,000
County Councils	-	-	-	-	-	£40,696,000
Rural Districts	-	-	-	-	-	19,385,000
Total (predominantly rural)	-	-	-	-	-	£60,081,000

Data is taken from Fowler, *Municipal Finance*, p. 2; Darwin, *Municipal Trade*, p. 24; Local Taxation Returns, 1909-10, Pt. VII; 1920-21, Pts. I-III, var.

Cf. also *supra*, p. 463.

## APPENDIX P

## MUNICIPAL DEBT, ENGLAND AND WALES, 1909-10

(Basis of Local Taxation Returns, 1909-10, Parts I, IV, VI, VII)

County Boroughs - - - -	£185,780,952
London County Council - - -	58,602,519
Corporation of London - - -	6,231,573
Metropolitan Boroughs - - -	12,211,557
Metropolitan Asylums District - -	2,747,380
Metropolitan Police - - - -	338,725
Metropolitan Water Board, and Misc. -	49,529,222 (part est.)
Urban Boards of Guardians - - -	8,000,000 (est.)
Harbours, etc. - - - - -	70,000,000 (est.)

This represents £25 17s. 5d. (\$125.80) per capita. It is about 76% of the total net local debt of £515,514,655. (*N.B.*—The estimates for the urban part of total debts of Guardians, Harbour, and Miscellaneous Authorities have been carefully computed from a detailed examination of the list of debts of the individual authorities. L.T.R., Pt. I, p. 97, etc.)

## APPENDIX Q

COMPARATIVE PERCENTAGE OF EDUCATION  
BURDEN LOCALLY BORNE, 1909-10

(From Local Taxation Returns and Financial Statistics of Cities)

*Education.*—(The following items have been made comparable, save for \$6,000,000 increase in balance on hand in education in the U.S.)

*United States :*

Aggregate appropriations and receipts : \$181,450,507 (includes debt service).

88.2% City appropriations and revenues, \$159,958,124.

11.5% Subventions (a large part being county), \$20,946,757.

0.3% Fees and charges (tuition, etc.) (often non-residents), \$545,626.



If county subventions be considered as local, it is evident that the cities bear more than  $\frac{9}{10}$  of the expenditure for their schools.

Local burden per capita (on a population of 27,022,636) \$5.93 (deducting certain cities whose schools are controlled by the county).

*England and Wales :*

Payments (including apportioned loan charges, £1,543,404),  
£14,649,198.

57.4% City payments from city sources, £8,422,314.

40.6% Subventions (specific and quota (est. £200,000) of grants 'in relief of rates'), £5,936,617.

2.0% Fees, £289,467.

The localities bear about  $\frac{1}{8}$  of the burden.

Local burden, per capita, 11s. 1d.

Thus in the U.S. the locality taxes itself more than *twice* as much for schools.

## APPENDIX R

### VARIATIONS IN LAND VALUES

#### CLEVELAND AND SUBURBS—INCREASES

(Zangerle, *Cleveland and its Suburbs*, p. 9)

	1911	1920	% increase.
Cleveland - - -	\$285,793,460	\$644,045,620	126
West Park - - -	1,899,200	17,889,740	842
Lakewood - - -	7,861,670	27,162,920	246
Idlewood - - -	220,780	2,450,270	1010

NEW YORK CITY BOROUGH—VALUE OF TAXABLE LAND, 1923.  
(*Rpt.*, Comnrs. of Taxes, City of New York, 1923, pp. 14, 35.)

	Total taxable land value.	Value per acre.
Manhattan -	\$3,352,334,985	\$239,452
Bronx -	389,353,266	14,976
Brooklyn -	934,823,526	18,809
Queens -	342,212,360	4,563
Richmond -	66,267,065	1,810

In Manhattan, Sect. 8 (assessable land value, \$102,842,050) and Sect. 3 (assessable land value, \$703,345,600) have approximately the same area.

## ST. PAUL.

*(Reports of Assessors, 1914, p. 13; 1922, p. 20)*

## GROSS VALUE OF TAXABLE LAND

Ward.	1912	1922
1	\$3,878,410	\$5,280,075
2	5,792,475	6,157,607
3	13,121,850	13,596,775
4	32,012,610	48,943,825
5	4,227,925	4,512,110
6	3,590,100	4,232,715
7	10,189,430	11,291,175
8	4,702,950	5,092,925
9	2,853,100	3,311,300
10	5,887,920	9,102,600
11	9,270,490	15,343,845
12	2,253,975	3,169,305
Total	\$97,781,235	\$130,034,257

*Note: (a) the variations in values. Wards are approximately equal in area.*

*(b) the gain in value of about \$32,000,000, one half of which was in the 4th ward.*

## APPENDIX S

## INCIDENCE OF LOCAL TAXATION

*(The Opinions of Various Economists)*

Marshall.—‘The incidence of a long-established rate is little affected by its being collected from the tenant and not from the owners, but it is vitally affected by the proportion in which it is assessed on site and building values respectively; the main part of the former settles on the owners and of the latter on the tenants.’ (Memoranda, Royal Comn. on Local Taxation, 1901.)

Taxation of site value ‘would hasten on building and thus tend to glut the market for buildings. Therefore rents would tend to fall and builders would be unable to take building leases on high ground rents. The change would, therefore, transfer to the people at large some part of the public ‘value’ of land which now goes to owners of land that is built upon or is likely to be built upon.

But unless accompanied by energetic action on the part of urban authorities in planning out the lines on which towns should grow, it would result in hasty and inappropriate building; a mistake for which coming generations would pay a high price in the loss of beauty and perhaps of health.'

Similarly a partial transfer: 'Its immediate effect would be an addition to the value of some properties at the expense of others. In particular it would raise the value of high and expensive buildings in districts in which the rates were heavy even more than those in which they were low; because it would afford relief from a greater burden. But it would lower the value of low obsolete buildings on large sites in heavily rated districts. After a time the amount of building put upon a site would vary generally, subject to the by-laws, with its advantages of situation, instead of as now partly in proportion to these advantages and partly inversely as to rates. This would increase concentration and tend to raise gross site values in advantageous districts; but it would also increase the aggregate expenditure from the rates; and as this would fall on site values the net site values might be very low. Whether on the whole the concentration of population would be increased it is difficult to say; for the most active building would probably be in the suburbs where vacant land no longer escaped heavy rating. Much would depend on the building by-laws; the concentration might be lessened by a rigorous rule that there should be a large free space at the back as well as in front of all high buildings.' (Marshall, *Principles of Economics*, Appendix, pp. 794 ff.)

Chorlton.—'Part of the rates paid in respect of a property are merely payment for services rendered to the occupier, in doing for him what he would choose to do for himself. This part cannot be distinguished in principle from a charge for gas, or a charge for sweeping a chimney or for keeping a garden in order, and undoubtedly falls on the occupier. The remainder of the rates—in the case of the larger houses by far the greater part of the rates—so far as they are paid in respect of land fall either on the present owner of the land or else on past owners of the land; but so far as they are paid in respect of a building they fall substantially on occupiers. . . .

'Rates which fall on the occupier cannot be evaded by him whatever form of payment is adopted, while the rates which fall on the owner are already paid by him because he receives a diminished rent, and to afterwards deduct them from rent is to attempt to make him pay twice over.' (Chorlton, *Rating of Land Values*, pp. 23, 26.)

Goschen (1872).—‘The builder calculates on a certain profit or else he would not build; he knows that tenants of a certain class can afford to give a certain rent and no more for a certain class of house; and therefore, if building is to take place at all it is clear that the rates must fall there, where alone exists a margin to bear them—that is, on the price given or the ground rent promised to the owner of the soil.’ (Quoted in Chorlton, *Rating of Land Values*.)

Edgeworth.—‘A site-value tax (on the entrepreneur) under the prevalent system of urban tenures is apt to fall to some extent on the profits of the business-men who supply house-accommodation. The prospect of a rise in the value of house property encourages the supply of house accommodation; the prospect of an additional impost, however named, to be levied in the future on those who in the present are making efforts and sacrifices in the way of production tends to discourage that supply. . . . It is doubtful how far a rate on site value of the kind proposed is to be regarded as a tax on surplus. The neglect of the burden repercussively imposed on the occupier is the capital error. . . .

‘It would be particularly impossible (to impose such a tax) in the case where the value of the cleared site is much greater than that of the site *plus* an existing tenement. Some advocates of new schemes may claim indeed that their schemes will put a stop to that anomaly. . . . This claim is not admissible.’ (*Economic Journal*, 1906, pp. 68, 70, 76.)

‘Is the impost beneficial, as is generally the case with rates? Then the occupier pays for benefits. Is the impost more or less onerous? Then in the case of new houses or old houses which are in competitive touch with new houses, the burden is shifted on from the producer to the consumer, that is, the occupier.’ (Quoted in Chorlton, *Rating of Land Values*.)

‘As far as the house-duty is equal between district and district, the occupier will live in a smaller house and pay the tax applicable thereto; landowners suffering only as a general body because the quantity of building land demanded is less.’ (Quoted in Row-Fogo, *Reform of Local Taxation*.)

Cannan.—‘To the community as a whole, houses will not be cheaper, that is, obtained by less effort, because they are built in a more expensive manner, and are more massed in situations where it is more difficult to provide them with the usual conveniences. What is taken from site-values is simply slopped away in increased cost.’ (*Economic Journal*, 1907, p. 42 f.)

*Résumé of History of Local Rates.* The real attacks as to equity of rating are on the basis of the 'onerous' services. Yet even here the burden may have become 'hereditary'. Very high rated areas deter people coming to a section and hence are at bottom an owner's grievance. Thus though the present system may not be equitable, it can 'be left alone without inequity'. Rating discourages building. Under a tax on site valuation, the agricultural land at the margin would immediately assume a lower capital value, and hence the amount a tenant would have to pay as rent would be less. Yet though the net yield was reduced, there would be no greater anxiety to sell as the selling price would also be reduced.

Taxation of land values would provide a greater inducement for concentration of building in the centre rather than more building in the outskirts.

Taussig.—'So long as the possibilities of production on the better sites are limited, the owners are subject only to a restricted competition, and can retain the extra return for themselves. . . .

'The yield on the advantageous sites depends in no small degree on the skill with which they are used. Their possibilities are not seen by all persons. The bidding for them comes most actively from those who have the shrewdness to see what can be done on them and the courage to put their calculations to the test of actual trial. . . .

'It seems to me impossible to deny that if a reservation of rent for the community had been made from the start, with due care and discrimination, the community would have been better off. . . .

'A tax on capital value of land would affect only the owner, if the land is rack rented. . . . Only when buildings are obsolescent (or in the case of a small temporary increase) does the owner (rather than the occupier) bear the cost of the tax on the capital value of buildings. In the long run, taxes on buildings tend to be borne by occupiers. . . .

'The high value of land in our large cities is thus a source of much revenue to the taxing body, and at the same time, of a revenue hardly felt as a tax by any one. It simply prevents the rent of land and its value from rising even higher; and since this is foreseen and expected by everyone, no purchaser suffers.' (Taussig, *Principles of Economics*, vol. ii, pp. 76, 82, 100, 520 f.)

Trevelyan.—'While other commodities have cost something to produce, and will deteriorate if unused, land has cost nothing to produce, and does not deteriorate in permanent value owing to the

action or inaction of the owner.' (*Economic Journal*, 1907, p. 32.)

Darwin.—'The effect of rating property as if it were used in the most profitable manner would be to make owners more desirous thus to use it; and, in order to employ vacant land or land on which there are comparatively small buildings so as to get the largest rent immediately obtainable, further capital expenditure would be necessary. Where valuable land is vacant, and therefore, not rated, the desire to build on it will obviously be increased by the imposition of a rate; and as to the land on which there are buildings, there will be a similar increase in the desire to rebuild when such rebuilding could be profitably undertaken.

... in the long run rates tend to fall on the occupier and the site-value owner approximately in the ratio of the capital expended on the buildings to the price of the cleared site; the more inelastic the demand for room, the truer being this formula.' (*Economic Journal*, 1907, pp. 330, 332.)

## APPENDIX T

### LIST OF CENTRAL GRANTS

(Burton, *Local Authority Finance Accounts*, pp. 182 ff., 266 ff.)

- (1) Blind persons, 50% of net expenditure.
- (2) Conveyance of prisoners (in some cases).
- (3) Detentions :
  - (a) Places for children under 16 in lieu of prison.
  - (b) Inebriates Act (acc. to a schedule).
  - (c) Reformatory and Industrial Schools,  $\frac{1}{2}$  cost.
- (4) Diseases :
  - (a) Tuberculosis (Institutional Treatment):  $\frac{1}{2}$  cost, but not exceeding £2 per head of population. Capital expenditure £180 per bed, but not exceeding  $\frac{3}{8}$  of total cost of sanatoria and  $\frac{1}{4}$  cost of dispensaries.
  - (b) Tuberculosis (Diseases of Animals). From Ministry of Agric.,  $\frac{1}{2}$  of net amount paid for compensation for slaughter.
  - (c) Venereal Disease, 75% under V.D. Regulations.

(5) Highways: Under Development and Road Improvement Fund Act, 1909.

(6) Housing: All over 1d. rate.

(7) Investigations of Scientific and Industrial Research,  $\frac{1}{2}$  cost of investigations on behalf of Dept. of Scientific and Industrial Research.

(8) Land Drainage: Under Land Drainage Act, 1918. (Ministry of Agric. and Fisheries.)

(9) Maternity and Child Welfare: 'The grant in respect of revenue expenditure is 40% of the estimated expenditure in that year, plus the amount by which the ascertained expenditure in the previous year exceeded the grant in that year.' Up to 1919 the grant was based on expenditure in the preceding year, and was  $\frac{1}{2}$  the cost of approved schemes.

(10) Mental Deficiency:  $\frac{1}{2}$  cost.

(11) Police:  $\frac{1}{2}$  cost (i.e. Excheqr. Contrib. Acct., plus a supplementary contrib. by the Home Office).

(12) Rates:

(a) (In lieu of) on Govt. Property.

(b) Agric. Rates Act, 1896:  $\frac{1}{2}$  amount of pre-Act figure. (Still payable, however, on what *was* agric. land.)

(c) Tithe Rent Charges (Rates) Act, 1899:  $\frac{1}{2}$  amount for current year; but being payable out of the Estate Duty Grant, reduces amount available for distribution.

(13) Registration of Electors (Repr. of the People Act, 1918):  $\frac{1}{2}$  registration officer's expenses.

(14) Small Holdings (up till 1926): Whole of the loss under Sect. 6 of Small Holdings and Allotments Act, 1908, as amended by Land Settlement (Facilities) Act, 1919, subject to some reservations as to size of holdings.

(15) Unemployment: Works of Public Utility, 50-75% of loan charges for a period.

(16) Misc.: Expenses of Old Age Pensions Comts. and War Pensions (Local) Comts. (not properly local authorities).

(17) Education.

(18) Police Pensions.

(19) Exchequer Contribution Account:

(a) Higher Education: customs and excise.

(b) Guardians: teachers, vaccination, vital statistics, pauper lunatics.

(c) Sanitary Authorities:  $\frac{1}{2}$  salary of medic. offic. of hlth. and insp. of nuisances.

- (d) County or borough fund: maintenance of vagrant lunatics,  $\frac{1}{2}$  cost of police pay and clothing, judicial (clerks of peace and quarter sessions officers).
- (e) Guardians: grants toward salaries.
- (f) Indoor pauper grant (London only).
- (g) Costs of criminal prosecutions.
- (h) Toward maintenance of disturnpiked and main roads.
- (i) Balance in aid of rates (if any).

## APPENDIX U

SOME SUGGESTIONS AS TO DETAILS OF A  
BRITISH URBAN LAND TAX

(1) *Rate*.—This should be fixed as regards its maximum by Parliament. The maximum should, however, be gradually raised. The following may be suggested as embodying the principle of moderating the burden upon the land owner. In practice it should generally result in taking little if any save the ‘unearned increment’ during the early years.

## MAXIMUM PERMISSIBLE RATE.

1st year	-	-	-	·5 %	of the capital value.
2nd year	-	-	-	·55 %	” ” ”
3rd year	-	-	-	·6 %	” ” ”
4th year	-	-	-	·65 %	” ” ”
rising by increments of ·05 % to . . . . .					
51st year	-	-	-	3·00 %	” ” ”
(which shall be the ultimate maximum.)					

Such a system would allow the gradual supersession of the grant-in-aid.

In addition there should be a statutory relationship between changes in the land tax locally imposed and changes in the local rates. This would serve (a) to check confiscatory tendencies on the part of local authorities, (b) to emphasize the responsibility of the non-landowning electorate.

Such a relationship might be maintained by establishing by statute a ‘standard’ rate as well as a ‘maximum’ rate for the land tax.



If this 'standard' rate were fixed at  $66\frac{2}{3}\%$  of the 'maximum' rate, a local authority that needed  $3\frac{1}{3}\%$  more income from rates and taxes than in the preceding year would be required (if already at the standard rate) to add  $3\frac{1}{3}\%$  to the ordinary local rates as well.

To illustrate :

LOCAL RATE.		LAND TAX.
1st year	10s. in the £.	.25 % of capital value (does not tax up to 'standard').
2nd year	10s. in the £.	.35 % of capital value (does not tax up to 'standard').
3rd year	10s. in the £.	.4 % of capital value (taxes at full 'standard').
4th year	10s. in the £.	.43 % of capital value (taxes at full 'standard').
5th year	11s. in the £.	.47 % + 10 % (.047 %) or .517 % (pressed for money; raises rates).
6th year	10s. in the £.	.50 % (lowers rates).
		etc., etc.

[Note that the ordinary rate levied by the locality at the time the power to levy a land tax was granted entitles a levy of the latter up to the 'standard', i.e.  $\frac{2}{3}$  of the 'maximum' allowed for the particular year.]

(2) *Assessment* : always on the landlord.

(a) Owner-occupier. Assessment shall be at the full capital value as determined by expert assessors, and as checked by the selling price of bare land in the same area.

(b) Owner of leased land. Assessment shall be at the present worth of the full capital value.

For example:

Plot A—Freehold—Capital Value, £1000—Tax 2 % or £20.  
 Plot B (identical)—Let on a 99 year lease at a ground rent of £20 per annum, the lease having 5 years to run.

B pays 2 % of £400 (capitalized value of £20 income at say 5 %) + 2 % of present worth of £600 in 5 years or £470. This works out at 2 % of £870 or £17 8s. The remainder (£20—£17 8s.) £2 12s. is paid by the lessee.

Formula is:

$$\text{Present Worth} = \frac{\text{Capital Value (unencumbered)}}{(1 + \text{Rate}) (\text{years to go})}.$$

$$\text{Capital Value} = \frac{\text{Income}}{\text{Rate of Time Preference}}.$$

## APPENDIX V

ANALYSIS OF 5 PRIVATE ACTS—BRISTOL,  
1902-1906

Bristol Corporation Act 1902 (2 Edw. 7, Cap. 142), 56 sec.,  
36 pp.

Bristol Corporation Act 1903 (3 Edw. 7, Cap. 211), 39 sec.,  
28 pp.

Bristol Corporation Act 1904 (4 Edw. 7, Cap. 223), 71 sec.,  
49 pp.

Bristol Corporation Act 1905 (5 Edw. 7, Cap. 211), 72 sec.,  
31 pp.

Bristol Corporation Act 1906 (6 Edw. 7, Cap. 200), 38 sec.,  
31 pp.

The five Acts total 276 sections, 175 pages.

## 1902 Act—Powers :

- (1) to construct deviation railway, railway embankment,  
two culvert sewers.
- (2) to abandon earlier authorized construction.
- (3) subsidiary powers for the foregoing.
- (4) land acquisition for dock undertaking.
- (5) extension of city boundaries.
- (6) electric lighting and power.
- (7) postponing repayment of loans under Electric Lighting  
Acts.
- (8) to borrow money for the foregoing projects.
- (9) to lend money to school board and guardians.
- (10) to consolidate loans.

Officers of Inland Revenue and Inspectors of Loc. Govt. Bd.  
were granted supervisory powers.

## '1903 Act (Docks project)—Powers :

- (1) to construct two railways, two wharves, culvert channel,  
river wall.
- (2) to abandon earlier authorized construction.
- (3) to divert channel of a brook.
- (4) subsidiary powers. (Protective clauses included for  
G.W.R., Bris. Gas Co., Bris. Waterworks Co.)
- (5) to acquire land for the above purposes, etc.
- (6) to borrow money for the above purposes, etc.

## 1904 Act—Powers :

- (1) to annex ; differential rating ; transfer of employees.
- (2) of alterations of unions.
- (3) to increase amount (trifling) which Corporation may spend under 'The Clifton and Dundham Downs (Bristol) Act, 1861'.
- (4) to alter tonnage rates.

## 1905 Act—Powers :

- (1) to construct 5 new bridges (specified) and to remove old.
- (2) to widen channel of River Frome.
- (3) subsidiary to the foregoing, including the sale of material of buildings destroyed.
- (4) to construct electric sub-stations under the streets.
- (5) to prevent a cul-de-sac by ordinance.

Incorporates into law a number of detailed provisions concerning projections over streets, structures used for advertising, drains, separate sewers.

## Powers (cont.) :

- (6) to provide public comfort stations.
- (7) over sale of ice cream, tuberculous milk.
- (8) to increase library rate to 1½d.
- (9) to use land (with Loc. Govt. Bd. consent) for purposes other than those for which acquired.

Limits time for compensation for damages under certain projects.

## Powers (cont.) :

- (10) to use part of land acquired for a road for a police station.
- (11) to prescribe manner of leading or driving animals (severely restricted in detail, even as to time of day).
- (12) to license drovers.
- (13) to substitute 9 o'clock for 10 o'clock in an earlier Act.
- (14) to change name of a ward.
- (15) to prevent street betting.

(The usual provisions were included (a) safeguarding control by Loc. Govt. Bd., (b) safeguarding private corporations, railways, etc., (c) restricting purchase of land, (d) raising the necessary loans.)

## 1906 Act—Powers:

- (1) to acquire certain specified portions of land.
- (2) to alter certain wards and the number of councillors.

Limits the length of time a vessel may remain at a dock without special permission.

Alters abatements of dock fees in detail.

General comment: a large part of these Acts incorporates into law a vast amount of detail which should be regulated, not by law, but by *ordinance*. For example, s. 38 of the 1905 Act reads as follows:

- (1) 'Any person being a manufacturer or vendor of or merchant or dealer in ice cream or other similar commodity who within the City:

(a) Causes or permits ice cream or any similar commodity or any materials used in the manufacture thereof to be manufactured, sold or stored in any room, cellar or place which is in a condition likely to render such commodity injurious to health or in which there is an inlet or opening to a drain; or

(b) In the manufacture, sale or store of any such commodity does any act or thing likely to expose such commodity to infection or contamination or omits on the outbreak of any infectious disease amongst the persons employed in his business to give notice thereof forthwith to the Medical Officer ;

shall be liable for every such offence on summary conviction to a penalty not exceeding forty shillings.

- (2) In the event of any inmate of any building any part of which is used for the manufacture of ice cream or any similar commodity suffering from any infectious disease the M.O. may seize and destroy all ice cream or similar commodity or materials for the manufacture of the same in such building and the Corporation shall compensate the owners of the ice cream or similar commodity for materials so destroyed.'

The number of detailed alterations of previous private Acts carries its own comment as to the advisability of more general delegation of powers at least to a city the size of Bristol.

## APPENDIX W

THE COST OF SUPERVISION AND RESEARCH IN  
THE MINISTRY OF HEALTH AND THE  
BOARD OF EDUCATION.

(Computed from data in: Estimates for Civil Service 1922-23, IV, VI, VII (H.C. No. 32, 1922); First Interim Rpt. of Comt. on Nat. Expenditure (Cd. 1581), 1922; Second Rpt. (Cd. 1582), 1922.)

## A. MINISTRY OF HEALTH

## I. Research

	England.	Wales.
Intelligence Division - - - - -	£1,818	£200
Statistical Office - - - - -	680	
Laboratory - - - - -	644	
Lymph Establishment - - - - -	3,104	
Contributions toward various research projects, (incl. Dairying, Blindness, etc.) -	10,050	
Misc. - - - - -	200	
	£16,496	
Add Overhead (est.) - - - - -	4,000	
	£20,496	

## II. Non-Local Government Expense

	England.	Wales.
Old Age Pension Branch - - - - -	£3,419	£6,135
Insurance Dept. - - - - -	135,001	
Alkali, etc., Works - - - - -	5,289	
Travelling expenses, etc. - - - - -	22,325	
Insurance, statis. - - - - -	8,000	
Misc. - - - - -	200	400
	£174,234	£6,535
Establishment (est.) - - - - -	250,000	8,000
	£424,234	£14,535

## APPENDIX W

## III. Total Expenses

	England.	Wales.
Salaries, Wages, Allowances - - -	£1,960,326	£108,522
Travelling, etc. - - - - -	114,400	9,200
Special Inquiries and Services - - -	10,050	200
Incidentals, etc. - - - - -	11,600	500
	£2,096,376	£118,422

	England and Wales.
Overhead - - - - -	£880,992
Deduct (est.) for non-local government services - - - - -	228,248
	£652,744

## IV. Supervision Expense

	England.	England and Wales.	Wales.
Total - - - - -	£2,096,376		£118,422
Deduct:			
Non-Local Govt. £424,234		£14,535	
Research - - - 16,496		200	
	440,730		
Net Supervision - - -	1,655,646	£14,735	103,687
Add Overhead (est.) - -		£660,744	
Total Supervision - -		2,420,077	

## B. BOARD OF EDUCATION

## I. Non-Supervisory Expense

	England and Wales.
Grants - - -	£45,777,143
Pensions - - -	1,575,400
Aid to Students	192,485

## II. Supervisory

	England.	England and Wales.
Administrative - - - - -		£528,495
Deduct:		
Pensions Branch - - -	£6,320	
Est. Overhead for non-supervisory - - -	50,000	
	£56,320	
(a) Net Administrative - - -		472,175
(b) Inspection and Examination -		437,649
Overhead (included in other estimates) - - - - -		275,419
Total Supervisory - -		£1,185,243

## C. EXPENDITURE FOR OTHER FORMS OF RESEARCH

	1921-22.	
Scientific Investigation (etc.) -	£216,931	
Scientific and Industrial Research	415,923	
Ministry of Labour—Intelligence and Statistics Division -	125,119	(includes £30,000 (est.) for overhead and establishment.)
Royal Commissions Dealing with Research - - -	32,000	(includes £8,000 (est.) for overhead and establishment.)
Dept. of Agriculture and Fisheries	767,810	(includes £200,000 (est.) for overhead and establishment.)
Forestry Commission - - -	20,000	(includes £4,000 (est.) for overhead and establishment.)
	£1,577,783	

## APPENDIX X

## COMPARISON OF INDIVIDUAL CITIES

## A. COMPARISON OF MANCHESTER AND CLEVELAND

	Manchester.	Cleveland.
Population - - -	744,000 (1921)	796,841 (1920)
Area (acres) - - -	21,690	36,256
Population per acre - - -	34.3	22
Net Debt - - -	£28,751,294 (1922)	\$108,645,048 (1921)
Net Debt (per capita) - - -	£34 (\$171 approx.)	\$132 (£29 approx.)
Death Rate - - -	14.2 (1922)	10.4 (1921)
Infant mortality rate - - -	97 (1922)	73 (1922)
<i>Cost of services—comparable items</i>		
Outdoor relief - - -	£1,000,000	nil (voluntary)
Poor Law Hospitals - - -	(guardians)	(1923)
	(approx.)	\$1,000,000
Cleansing - - -	372,665 (1922)	1,780,000 (1923)
Education (maintenance) - - -	1,540,873	13,420,000
Value of school property (per cap.) - - -	£2 11s. (1921)	\$30.00 (1919)
Street Lighting - - -	147,797	712,000
Libraries - - -	74,097	1,000,000
Parks and Playgrounds - - -	129,244	273,261
Police - - -	458,723	2,951,895
Fire Brigade - - -	41,922	2,542,821
Street Trees - - -	nil	21,909
Tuberculosis - - -	44,201	83,501
Child Hygiene (M. & C.W.) - - -	49,149	90,885
Food Inspection - - -	3,050	67,385
Local Taxes (Rates) - - -	4,368,000 (approx.)	35,847,790 (1921)
Govt. Grants - - -	1,286,998	*

(N.B.—The above items can conveniently be made more comparable by multiplying the Manchester figures by 5. This neutralizes exchange value and population.)

\* See overleaf.



\* Cleveland receives a certain amount from the State and Federal Governments principally for vocational education and education of defective children. In 1919-20 this amounted to \$95,462. On the other hand it paid into the state equalization fund (for poor districts), a much larger amount. In 1920-21 this amounted to \$600,000. (*Year Book*, 1922, p. 148; *Statistics of City School Systems*, 1919-20, p. 86.)

### B. BIRMINGHAM AND DETROIT

#### COMPARATIVE ITEMS OF EXPENDITURE 1921-1922

	Birmingham.	Detroit.
	£	\$
Education - - - -	1,607,822	21,000,000 (approx.)
Charity - - - -	886,050 (approx.)	1,567,802.67
Protection - - - -	640,322	11,109,661.72
Police Tax - - - -	500,580	4,613,639.00
Fire Tax - - - -	86,564	3,743,866.76
Health and Sanitation - -	893,228	4,395,359.65
Highways - - - -	482,666	7,577,844.65
Recreation - - - -	147,996	2,008,297.50
Municipal Trading - - - -	(?)	7,213,698.52
Debt Service - - - -	(allocated)	6,981,603.28
General Government - -	(allocated)	2,593,516.00
Libraries - - - -	46,220	633,218.00 (Tax)

Data from *Detroit's Government* and from Birmingham—*Estimates for Borough Rate*, 1923.

(N.B.—The above items can conveniently be made more comparable by multiplying the Birmingham figures by 6. This neutralizes exchange value and population.)

## APPENDIX Y

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Year.	Name.	Number	Page.
1829	Metropolitan Police Act -	10 Geo. IV, c. 44 -	37
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1833	Municipal Corporations (Scotland) Acts	4 & 5 Will. IV, c. 46, 76, 77	37
1834	Poor Law Amendment Act -	4 & 5 Will. IV, c. 76 -	36
1835	Municipal Corporations Act	5 & 6 Will. IV, c. 76	36, 38, 42, 55
1842	Liverpool Building Act -	- - -	184
1854	Town Improvement (Ireland) Act	17 & 18 Vict., c. 103	212
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1878	Public Park Act - - -	41 & 42 Vict., c. 8 -	185
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1879	Food and Drugs Act - -	42 & 43 Vict., c. 30 -	181
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1882	Divided Parishes and Poor Law Amendment Act	45 & 46 Vict., c. 58 -	195
1882	Electric Lighting Act	45 & 46 Vict., c. 56 -	184
1882	Municipal Corporations Act	45 & 46 Vict., c. 50 -	196, 200, 224
1882	Public Health (Fruit Pickers Lodgings) Act	45 & 46 Vict., c. 23 -	181
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1883	Municipal Corporations Act	46 & 47 Vict., c. 18 -	196
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